

"Aristotle's Theory of Prohairesis and Its Significance for Accounts of Human Action and Practical Reasoning"

Author: Michael Angelo Formichelli

Persistent link: <http://hdl.handle.net/2345/729>

This work is posted on [eScholarship@BC](#),
Boston College University Libraries.

Boston College Electronic Thesis or Dissertation, 2009

Copyright is held by the author, with all rights reserved, unless otherwise noted.

Boston College

The Graduate School of Arts and Sciences

Department of Philosophy

ARISTOTLE'S THEORY OF *PROHAIREISIS* AND ITS SIGNIFICANCE FOR
ACCOUNTS OF HUMAN ACTION AND PRACTICAL REASONING

A Dissertation

By

MICHAEL ANGELO FORMICHELLI

submitted in partial fulfillment of the requirements

for the degree of

Doctor of Philosophy

August 2009

© copyright by MICHAEL ANGELO FORMICHELLI

2009

Abstract: “Aristotle’s Theory of *Prohairesis* and Its Significance for Accounts of Human Action and Practical Reasoning”

By Michael Angelo Formichelli

Arthur Madigan, S.J., Adviser

The relationship between intention, intentional action, and moral assessment is of fundamental importance to ethical theory. In large part, moral responsibility is based on an assessment of agent responsibility, which in turn is based on the connection between an agent’s intentions and the actions which they cause. In the last twenty-five years, there has been a debate in contemporary action theory about the relationship between intentions and intentional action. Objecting to what he calls the “Simple View,” which he characterizes as the view that all intentional actions are intended under some description, Michael Bratman, among others, argues that not all intentional actions are intended. In this dissertation, we will defend the Simple View by appealing to Aristotle’s theory of action as developed in his psychological and ethical works.

In the first part of the dissertation, we argue that all intentional actions are intended under some description; however, we argue that distinctions between different types of intention are essential: specifically, the distinction between deliberate and non-deliberate intentions and the distinction between the intention of the end and the intention of the means. Our account centers on Aristotle’s concept of *prohairesis*, which he identifies as the distinctly human principle of action. The term *prohairesis* in Aristotle’s works seems to have at least three senses: 1) primarily, the deliberate intention with which a person acts, an ‘occurent’ choice; 2) the habitual or ‘dispositional’ choice or

resolve of 'decent' people; and 3) general purposes that men have which may encompass voluntary action as a whole. The first sense of the term is the primary one that properly signifies the concept. *Prohairesis* fits within the general framework of animal motion which Aristotle sets out in the *De Anima* and *De Motu Animalium*. For Aristotle, *orexis* or desire is the cause of all animal motion, including human motion. *Prohairesis* is a deliberate desire for the means to an end. It is a principle of action peculiar to mature human beings capable of deliberating, as it is the intention which is the result of deliberation. It marks off a narrow but important stretch of intentional action. *Prohairesis* is set off against other types of intention, like *boulēsis*, which is an intention of the end, and *epithumia* (bodily appetite) and *thumos* (anger), which are non-deliberate intentions relating to non-rational appetites like lust and anger.

Aristotle, in contrast to contemporary accounts of intentional action, is unusually specific in his designation of the different kinds of intention. Different *orexeis* differ not only with regard to specific objects but also with regard to time, planning, and detail. Aristotle traces both the causal and moral responsibility agents have for their actions to the action of these internal principles of desire. Moral assessment is linked to the operative internal principle of an act. This allows for an action to be voluntary and intentional, even if the agent does not fully understand or plan for the consequences of an action. Intention, for Aristotle, if we correctly understand it as *orexis* and what results from *orexis*, is not reducible to one mode but is irreducibly plural. Furthermore, each person's capacity for intentional action is shaped by his character, and each character has correspondingly different kinds of intention, both with respect to the objects of intention and in their relation to action. Finally, the scope of intention is not definite, and

depending on the agent, can include those things which attend to the means of which he has cognizance, for instance, harmful side-effect consequences or other costs of his action.

In the second part of the dissertation, we examine at length the objections to the Simple View, lodged by Bratman, Gilbert Harman, and Joshua Knobe. We give an overview of objections by Bratman, Harman, and Knobe which center on three cases and four objections. The cases are: 1) a hypothetical video game; 2) unexpected success; and 3) unintended consequences. The objections are: 1) with respect to the hypothetical video game, the Simple View ascribes an irrational intention to a gamer playing the game; 2) When agents are doubtful of the success of an action they undertake, the Simple View requires that they intend the act they perform rather than that they merely try to perform the act, which opponents argue that this is irrational and false; 3) The Simple View entails the rejection of the distinction between intention and foresight which itself entails that agents intend all the results of their actions, even when those results are merely foreseen and not intended; 4) The Simple View does not adequately explain ordinary language usage with respect to ascriptions of intention for side-effect consequences, and therefore does not reflect basic, commonly shared notions of intentional action.

The first two objections center on cases where it seems irrational for an agent to intend the act he performs. In the case of the video game, the scenario is so set up that the player wins a prize for hitting either target but knows that he cannot hit both or the game will shut down. It seems irrational for him to intend to hit both if he cannot; however, in order to maximize his chance winning, it would be rational to aim at both. In

the case of unexpected success, it seems that agents do not intend acts whose chances of success they doubt because intending seems to require the positive belief that one will succeed; rather, it is argued that agents merely try but do not intend the act they perform. Against these cases and objections, we argue that agents are capable of conditional and complex intentions, such that one may conditionally intend to hit whichever target is opportune, while aiming at both. Likewise, we argue that intending to act does not require the positive belief that one will succeed; only that it is possible for one to succeed. Furthermore, the distinction between trying and intending is specious.

Finally, we respond to the third and fourth objections centering on the intentionality of side-effect consequences. It is argued by Bratman *et al.* that the Simple View entails the rejection of the distinction between intention and foresight, and that such a rejection further entails consequentialism. Likewise it is also argued that the Simple View fails to account for ordinary language ascriptions of intentionality for side-effect consequences. We agree that the Simple View entails rejecting the distinction between intention and foresight as it is currently applied, but deny that this entails consequentialism, i.e., the view that the consequences of an action are the primary basis for moral evaluation and not the agent's intentions. Likewise, we agree that the Simple View does not model ordinary language ascriptions of intention; however, this is not necessarily a defect since such ascriptions are inconsistent and imprecise. Furthermore, we argue that the Simple View might be used to more adequately *explain* such usage.

We center our response to these objections on the Doctrine of Double Effect. We argue that the doctrine arises from a mistaken interpretation of St. Thomas Aquinas' treatment of defensive killing. We argue that Aquinas does not hold that the death of an

attacker is a foreseen but not intended side-effect, as proponents of Double Effect and opponents of the Simple View hold; rather it is intended as a means to the end of self-defense. Therefore, the two effects are not the desired end and a side-effect but rather the intended end and the intended means. Furthermore, we argue that this does not entail doing evil for the sake of good because Aquinas' Aristotelian account of action specification incorporates circumstances as essential components of intentions which give an act its moral quality. Furthermore, the necessary references to an agent's intentions show how the rejection of the application of the distinction between intention and foresight does not entail consequentialism.

Finally, we tackle the underlying assumptions about intention and desire which lead to the rejection of the Simple View. Opponents of the Simple View hold that intention is not a form of desire because then it would not have an essential role in the genesis of action or in rational deliberation. We, however, argue that the major objections to the Simple View are defeasible once one understands intention as a species of desire, i.e. a deliberate desire, whose scope includes consequences beyond acts performed and goals achieved. The paradoxes at the heart of the debate hinge on the ambiguity of the English word 'intention' and its usage, as well as the inherent difficulty of examining psychological concepts. 'Intention' has several senses unified by the purposiveness of the mental states to which the word is referred. These senses can often, but not always, be distinguished in English usage by the degree and kind of deliberation attendant to them.

Table of Contents

Introduction to the Dissertation	1
Part I: Aristotle's Theory of <i>Prohairesis</i>	
I.1: Introduction to the First Part	17
I.2: A Survey of <i>Prohairesis</i> in the Aristotelian Corpus	21
I.3: Sources of Voluntary Motion in the <i>De Motu Animalium</i> and <i>De Anima</i>	
I.3.1: Desire, Imagination, and Action in the <i>De Motu Animalium</i> and <i>De Anima</i>	33
I.3.2: <i>Phantasia</i> , <i>Orexis</i> , and Intending: Nussbaum on <i>Phantasia</i> in the <i>De Motu Animalium</i> and <i>De Anima</i>	50
I.4: The Ethical Works	
I.4.1: The Aristotelian Account of the Voluntary	66
I.4.2: The Voluntary in the <i>Eudemian Ethics</i>	74
I.4.3: The Voluntary in the <i>Nicomachean Ethics</i>	83
I.4.3.1: Voluntary Action, Responsibility, and the Foundation of Character	87
I.4.3.2: Compulsion, Harm, and Instrumental Intentions	91
I.4.3.3: Ignorance, Cognizance, Cause, and Responsibility	95
I.4.3.4: Internal Causation and the Scope of the Voluntary	99
I.4.3.5: Deliberation and <i>Prohairesis</i>	
I.4.3.5.1: <i>Boulēsis</i> and <i>Bouleusis</i>	103
I.4.3.5.2: The Place of <i>Prohairesis</i> in Aristotle's Accounts of the Soul and Action	105
I.4.3.5.3: The Results of Deliberation: Action and <i>Prohairesis</i>	113
I.4.3.6: <i>Prohairesis</i> as a Composite Mental State or Capacity	125
I.4.3.7: How <i>Prohairesis</i> Follows from Practical Reasoning	128
I.4.3.8: Kinds of <i>Prohairesis</i> and Other Intentions	133
I.5: Conclusion of the First Part	151

Part II: Intentions and Intentional Action in the Contemporary Debate about the Simple View

II.1: Introduction to the Second Part	153
II.2: The Simple View and Its Opponents	
II.2.1: Introduction to Objections to the Simple View	163
II.2.2: Bratman's Video Game	166
II.2.3: Unexpected Success	168
II.2.4: Intended Consequences and Side-Effects	171
II.2.5: Knobe's Empirical Research	178
II.3: Responses to Bratman, Harman, and Knobe	
II.3.1: Trying, Intention, and Intention Surrogates	183
II.3.2: Intentions and Consequences	194
II.4: Practical Reasoning and the Scope of Intention	
II.4.1: Practical Reasoning and the "Holistic Challenge"	210
II.4.2: Double Effect and the Intentionality of Consequences	
II.4.2.1: Against the Doctrine of Double Effect	216
II.4.2.2: Intention, Foresight, Circumstances, and Side-Effects	252
II.4.2.3: Intentions, Circumstances, Costs, and Quinn on Double Effect	260
II.5: Understanding Intention and Desire	
II.5.1: Introduction to Arguments about Intention and Desire	271
II.5.2: Bratman and Harman on Intention and Desire	274
II.5.3: Mele on Intention and Desire	283
II.5.4: Intention as Deliberate Desire	288
II.6: Conclusion of the Second Part and the Dissertation	295
Works Cited	296

List of Tables:

Knobe Table 1: ‘Intentionally vs. ‘Intention’	182
Knobe-McCann Survey 1: ‘Intentional’ vs. ‘Having an Intention’	198
Knobe-McCann Survey 2: ‘Intentional’ vs. ‘Intended’	198

Introduction to the Dissertation

The relationship between intentions and intentional action seems to be rather straight-forward, almost tautological: An action is intentional only if it is intended. Intentions seem to be necessary for the species of events which are called intentional actions. More than this, intentions seem to be necessary for any human doing to be properly called an action, that is, to distinguish the things that happen to a human agent from the things for which that agent is the efficient cause. If I act, I do so with and for a purpose, and that purpose is my intention. Therefore, it seems that for an action to be voluntary, it must be intentional under some description. Likewise, it seems that if an action is intentional under some description, it must also be voluntary – for how could one intentionally act without doing so voluntarily? This rather straight-forward account of the relationship between intentions and intentional action gets complicated, however, when we are pressed to determine the precise content, structure, and scope of our intentions.

It is clear that intentions are by their nature purposive, but it is not clear that purposiveness is the same thing as intention. For instance, it is a philosophical commonplace to distinguish human action from animal behavior even though the latter is generally held to be purposive and in some cases (e.g., primates and dolphins) even consciously purposive. Intentional behavior is often held to require rational thought which in turn seems to require language. Animals, lacking language, therefore, seem to lack the ability to form intentions and perform intentional actions.

Likewise, not all human actions are rational and deliberate: some are quick and impulsive; others, though not quick, are held to be impulsively caused by desire against one's prior calculations. This latter class of behavior is often called incontinence or *akrasia*. The akratic impulse is often called a desire rather than an intention, and fits of *akrasia* are often followed by remorse and avowals expressing a lack of intention, 'I didn't want/intend/mean to do X'. Whether and to what extent such non-rational and irrational behaviors are intentional is a continuing area of debate.

Finally, while an intention includes some end, purpose, or goal, and often includes some means or course of action, it is not clear that it also includes consequences beyond the goal or means to the goal. If I intend to act and act such that I realize a goal by a certain chosen means but I also foresee necessarily or with a high degree of probability that it will have other, undesirable consequences, do I intend those consequences too? The distinction between intention and foresight is often held to exempt agents from blame for merely foreseen consequences which were not intended. This, however, raises further questions: the most obvious being how you distinguish intention and foresight when it comes to one's own actions and not an external event. It is one thing to foresee a solar eclipse or to predict presidential candidate responses in a debate; it is another thing entirely when it comes to what one chooses to do and how one reasons and evaluates one's choices, since consequences are often factors in deliberation and agents are often held accountable for them, especially in criminal law.

The issues we have just raised are at the heart of a contemporary debate about what Michael Bratman calls the "Simple View" – that all intentional actions are intended. Bratman, Gilbert Harman, and Joshua Knobe all argue against the Simple View, and they

use the connection between intention and rationality as well as the difficulty we have in determining the intentionality of side-effect consequences to argue that not all intentional actions are intended and that some consequences are intentional without being intended. This view poses difficulties for conventional assessments of praise and blame, which often account a range of consequences beyond ends and means as intended because intentional.

A significant weakness for opponents of the so-called Simple View is that their conclusions largely hold good only for a subset of English speakers, if they hold good at all. Even then, it is not entirely clear that the larger psychological and practical implications that they draw from examining expressions about intention, i.e., avowals and ascriptions, are valid or sound.

In order to show both the limitations of the attacks on the Simple View and a fruitful alternative approach to the problem of intention and intentional action, we will examine the theory of action which Aristotle presents in his ethical and psychological works. Aristotle's account of action is particularly salient because he distinguishes different kinds of intentions by the level of their deliberateness and rationality. Unlike contemporary philosophers, he does not assume that desires and intentions are two different genera; rather the latter is a species of the former. Likewise, he does not assume that what are often called desires are distinguished functionally from intentions. That is to say, it is not the unique function of deliberate intentions to generate actions. Furthermore, Aristotle does not tie himself to the colloquial usage of his language community (although he often begins with it) or to the assumption prevalent today that the content of an intention is limited to some postulated mental proposition. These

differences in approach allow an Aristotelian account of action to avoid several pitfalls of contemporary action theory. First, Aristotle can account not just for the directedness of animal behavior but also for its intentionality. Second, Aristotle can also account for degrees of intentionality within human behavior in a way that makes *akrasia* intentional without making it rational or deliberate. Third, Aristotle can also account for the intentionality of consequences or side-effects because of the relationship between reason, knowledge and desire in deliberation, in which these different capacities are brought together. As we shall see, Aristotelian psychology in general is much more comfortable with composite intentional states than contemporary action theory. This is both more psychologically accurate and philosophically more satisfactory than multiplying the number of irreducible mental states to accommodate unique functions with respect to action generation.

The central concept in Aristotle's account of human action is choice or *prohairesis*, and it is in examining *prohairesis* that we will be able to show the complex relationship between reason, desire, and deliberation in the genesis of characteristically human intentional action. According to Aristotle, *prohairesis* is a *bouleutikē orexis*, or a deliberate desire. It derives from *boulēsis*, or wish, and *bouleusis*, or deliberation. All three, *prohairesis*, *boulēsis*, and *bouleusis* are unique to human beings; *prohairesis* and *boulēsis* are forms of *orexis*, but there are other forms of *orexis* which both animals and humans possess. These other forms of *orexis* and the capacity of *phantasia*, or imagination, explain the intentionality of animal behavior as well as the intentionality of non-deliberate and akratic forms of human behavior. *Boulēsis*, the orectic precursor of *prohairesis*, does not differ from other kinds of *orexis* in its connection to the genesis of

action; rather, it differs from the other kinds of *orexis* in the kinds of action it gives rise to and the types of objects it pursues. *Prohairesis* as the product of wish and deliberation is the proximal intention with which mature human agents act when they act deliberately; *prohairesis* is involved in human action *par excellence*. However, Aristotle's account of human action extends beyond action derived from deliberation and caused by *prohairesis*. He also considers non-deliberate forms of action as well as action which is generated by deficient deliberation in his treatment of *akrasia*. Thus, our examination of *prohairesis* will allow us to account for the range of human intentionality as well as the degrees, range, scope and kinds of intentionality present in human action. This will provide a counterpoint to contemporary accounts of action which attack the Simple View.

With the insights gleaned from Aristotle's theory of action, we can proceed to defend an account of the Simple View which avoids the pitfalls of contemporary action theory while defending the important psychological and ethical connections between intention and intentional action. All intentional actions are intended, but not all intentions are as discrete or conceptualized as those which characterize the behavior of mature adults acting rationally and deliberately. Likewise, every intention is a desire for the fulfillment of some purpose, whether that purpose is an end in itself, a means to a further end, merely pleasant, or rationally understood as good. Intentions include those things that attend to our purposes, i.e., many things often classed as side-effects or consequences, because such things factor in human deliberation and are part and parcel of what makes an action or goal good or bad, desirable or undesirable.

Therefore, we begin with a treatment of Aristotle's concept of *prohairesis*, tracing its origins in ordinary Greek usage and its appearances in works outside of the

Nicomachean or *Eudemian Ethics*. We then proceed to give context to Aristotle's discussion of *prohairesis* in the ethical works, in the *De Anima* and the *De Motu Animalium*, by examining *orexis*, its kinds, its role in the animal and human action, as well as its interaction with *phantasia*. With insights from Martha Nussbaum, we will give an account of desire (*orexis*) as the fundamental intentional capacity in Aristotle's account of action, which, when coupled with imagination (*phantasia*), allows both humans and some animals to perceive objects as desirable. For animals, this perception is of the object as pleasant; for humans, objects can be perceived or judged to be pleasant or good, the latter requiring the rational capacity native to humans. Proceeding to Aristotle's ethical works, we can see how Aristotle's account of human action centered on *prohairesis* fits within his larger psychological framework: *prohairesis* is a composite of reason and desire, that is, desire modified by reason. Incorporating Nussbaum's account of *orexis* and *phantasia*, we can present *prohairesis* as an "inclusive mental state," a state with an indefinite horizon framed by the agent's cognizance¹ of his goal, means, circumstances and capacities.² Finally, we present an exegesis of Aristotle's account of *akrasia* that features a contest between two different types of intentional state rather than one between the somatic pangs of desire and an intentional state, as in contemporary accounts.

¹ I will be using the word 'cognizance' here and throughout to denote the knowledge of ethically relevant particulars. I have chosen this word over a word like 'perception' in order to highlight the active rather than passive element in the knowledge the agent has of his circumstances. Likewise, I have chosen this word to distinguish this kind of active, particular awareness from a general kind of knowledge an agent might have which may or may not apply to his present circumstances.

² Christopher Hill, "Harman on Self-Referential Thoughts" *Philosophical Issues*, 16: "Philosophy of Language" (2006): 355. I borrow the quoted phrase from Hill. Although Hill does not examine Aristotle's psychology in his article, I believe the expression is apt, since *prohairesis* through deliberation includes rational and cognitive elements as well as appetitive elements.

In the midst of our analysis of Aristotle's account of voluntary action and its relation to *prohairesis*, we also take a brief detour to discuss Aristotle's view of the permissibility of intentional instrumental harm. We argue in light of Aristotle's account of mixed action that Aristotle views intentional instrumental harm as permissible under certain restricted circumstances. This is signaled by his use of the verb *haireisthai*, 'choose', as well as by expressions like *ti anti tinos*, 'this as the price of that'. Focusing on the example of the sailors in the storm who jettison cargo to save their own lives, we argue that such an action is chosen and the loss of the cargo is intended as a means; the loss of the cargo is not merely foreseen. Aristotle nowhere uses the distinction between intention and foresight but rather focuses on the nature of compelling circumstances to explain why such intended harm is not blameworthy. Although not central to our treatment of Aristotle's theory of action, this aside will be instructive for dealing with objections to the Simple View in the second part of the dissertation, especially in our examination of objections to the Simple View related to the Doctrine of Double Effect.

From Aristotle, we jump ahead to the contemporary debate about the accuracy of the Simple View. Opponents of the Simple View attack it along two main axes. The first axis involves two cases which seem to make it impossible to rationally intend what one nevertheless does intentionally. The first case involves a hypothetical video game with two mutually exclusive goals that an agent must pursue simultaneously. The second case involves an agent who succeeds at a task unexpectedly, in the face of his own significant doubts prior to acting. In this case, it seems that an agent cannot rationally intend to act if he believes that he will fail; therefore, his intentional action is unintended. The second axis involves cases of side-effects and foreseen consequences apart from the goal of the

act intended. It is argued by opponents of the Simple View that while we often say that the side-effects are intentional, it seems that we cannot say that they are intended; otherwise an agent would seem to be irrational for intending something he does not find desirable or good, which would be a reason against his so acting and intending.

As we will show, the objections which arise along the first axis are easily dealt with. An agent is not committed to irrationality either in the case of the contrived video game or in cases where he doubts his ability to succeed. In the first case, although it is impossible for the agent to succeed at both tasks simultaneously, it is not irrational for him to pursue both tasks more or less simultaneously and to intend conditionally to fulfill one or the other depending on the conditions of the game. In the second case, it seems to be the case that it is only irrational for an agent to intend that which he believes is impossible, not that which he thinks is unlikely. So long as the agent believes it is possible to succeed, there seems to be nothing hindering him from so intending.

The second axis of attack against the Simple View is far more salient than the first; however, proponents of the Simple view offer two counterarguments about the intentionality of side-effect consequences. First, they argue that one need not classify such side-effect consequences as intentional because one need not say that they were intended. Second, one can argue that such consequences were not intended precisely because there would be no reason for an agent to pursue them; they would constitute reasons against an agent intending them. Since an intention to act is essentially directed towards the realization of a goal an agent values under some description, and such side-effect consequences are not valued by the agent, it seems that they cannot be intended.

Therefore, an agent acts in spite of such consequences and not because of them. All the same, the agent is aware of such consequences but foresees rather than intends them.

These counterarguments fail to disarm the side-effect objection to the Simple View. The counterarguments attempt to include consequences and side-effects which result either immediately or directly from a given intentionally chosen means in the category of events that are foreseen but not intended. While it is obvious that there are many things human agents foresee but do not intend -- eclipses for instance -- it seems somewhat less clear that what results directly or immediately from our own actions is relevantly similar to the other members of that class. The inclusion of side-effect consequences in this category of event is motivated by a desire to absolve agents for bringing about indirectly what they would be prohibited from and censured for doing either instrumentally or for its own sake. The counterarguments therefore entail that we should not be held responsible for consequences beside our end if we could argue that we did not intend them as our end. The difficulty for this argument is that, for the most part, moral and legal assessments contradict it: we are held responsible for much of what we foresee as resulting from our actions, even things beyond the end desired. The fine distinction made between intention and foresight in the case of side-effect consequences is specious and fails to provide either a basis for conventional moral and legal assessments of responsibility or an adequate replacement.

To adequately defend the Simple View, it is therefore necessary to re-examine the classification and description of side-effect consequences as well as the distinction between intention and foresight. To do this, we will examine a related issue: the Doctrine of Double Effect. Proponents and opponents of the Simple View often share the belief

that the distinction between intention and foresight is necessary to describe the nature of side-effect consequences and that this distinction is further necessary for the Doctrine of Double Effect. Proponents of the Doctrine of Double Effect often argue that to reject the application of the distinction between intention and foresight to side-effect consequences (which entails rejecting the Doctrine of Double Effect) entails consequentialism. Likewise, those who affirm the use of the distinction between intention and foresight with respect to side-effect consequences argue that it is necessary for an adequate account of moral assessment. Therefore, since the distinction and the doctrine are so closely linked, we shall examine the history of the Doctrine of Double Effect, with a special attention to its origin in Aquinas' philosophy, to provide a way of describing the intentionality of side-effect consequences without relying on the distinction between intention and foresight.

There has been a resurgence of interest in the Doctrine of Double Effect in contemporary applied ethics, especially medical and bioethics. The Doctrine, as it is currently understood, is held to allow, under certain circumstances, certain actions which produce both harmful and helpful consequences so long as only the helpful ones are intended. The harmful consequences or side-effects are held to be merely foreseen and not intended. Opponents of Double Effect argue that the distinction between foresight and intention used in Double Effect cases is specious, and that an agent must seem to intend the harms that result from his actions as instrumental to the help that he intends. Euthanasia is among the heated cases over which the proponents and opponents of the Doctrine of Double Effect argue. The case hinges on the permissibility of killing and whether or not a given killing is in fact instrumental to the achievement of some other

end or merely accidental to that achievement. The argument is over whether a physician may licitly prescribe a dose of a palliative drug he believes will probably be lethal to a terminally ill patient in excruciating pain if it is his intention merely to relieve pain and no other dose will work. Proponents of Double Effect argue that the administration of the drug is licit but that the death, if it occurs, is merely a foreseen probable consequence of the administration of the drug and the physician's act does not constitute euthanasia. Opponents argue that the narrow construal of intention in this case is dishonest and artificial.

The origin of Double Effect has historically been attributed to the writings of Thomas Aquinas, specifically Aquinas' treatment of homicide in self defense in the *Summa Theologiae*, II-II Q. 64 a. 7. In that article, Aquinas defends certain types of homicide in self defense by arguing that the homicidal act has a 'double effect': one is the death of the attacker; the other is the saving of one's life. Aquinas argues that the latter effect is intended but the former is not; the death of the attacker is *praeter intentionem* or 'beside the intention'. Interpreters of Aquinas, at least since the Jesuit Gury in the late nineteenth century, have taken him to mean that the death of the attacker was not intended in any sense, either as an end or as a means, and that the death is merely foreseen and not intended. As we will show, contemporary writers are conflicted about whether or not this is an accurate interpretation of Aquinas even if they agree with the moral prohibition of instrumental killing. We shall draw on the work of Gregory Reichberg as well as the writings of fifteenth century Dominican Francisco de Vitoria to argue that in his treatment of self defense, Aquinas is using *intentio*, translated as intention, to denote the intention of the end as opposed to the intention of the means;

thus, Aquinas does not in fact endorse the Doctrine of Double Effect as it is now understood. The two effects to which he refers are the effect intended as end, the saving of one's life, and the effect intended instrumentally, the death of the attacker. This is consistent with Aquinas' account of intention in the *Summa Theologiae* and *Summa Contra Gentiles*, where Aquinas explains that what is *praeter intentionem* includes things that are chosen and voluntary though not intended as ends. Of note is that Aquinas refers explicitly to Book III of the *Nicomachean Ethics* and the scenario of the sailors in the storm to illustrate this distinction. Therefore, Aquinas, like Aristotle, held that killing was permissible under certain circumstances, and he did not utilize the distinction between foresight and intention in his account of self-defense. Moreover, where he does use the distinction between foresight and intention, it is largely to include what we foresee as a result of our actions within the bounds of our instrumental intentionality – we are responsible for many of the things we foresee as a result of our actions.

Aquinas employs a varied and subtle intentional vocabulary that makes a distinction between the intentionality of ends and the intentionality of means. In English usage, this distinction is often blurred. The English word 'intention' generally corresponds to the intention of the end, as does Aquinas' *intentio*; however, it can also designate the proximate, instrumental goal of an action. Likewise, the use of the adverb 'intentionally' to describe an action denotes that it was done with or for some purpose. Describing an action as intentional, however, does not designate or specify that purpose or the relationship of the act and its immediate consequences to that purpose. A killing in self defense may be just as intentional as a killing for sadistic pleasure; however, whether the killing was instrumental or an end in itself is not specified by describing it as

intentional. This goes to the heart of the debate about the Simple View and the recent surveys conducted by Joshua Knobe which attack it.

Proponents and opponents of the Simple View make the same mistake for the same reasons. Both assume that to call an act or consequence intentional is to assume that the act or the consequence was the purpose or end of the act rather than the instrument or component of the instrument by which the purpose or end is brought about. Both assume that instrumental harm is unconditionally prohibited, and for this reason they attempt to argue alternately that harmful consequences are either not intentional or not intended. Proponents of the Simple View take refuge in the distinction between intention and foresight; thus, the harm resulting from an intentional action is neither intentional nor intended. Opponents argue for intentional actions which are not intended; therefore, the harmful consequences can be intentional without being intended. Both sides start from a deontological presupposition about the impermissibility of intentional, instrumental harm and work backwards toward an account of intention and intentional action that allows agents to accomplish what they cannot intend.

With Aquinas as our guide and primary example, we can see that by rejecting the Doctrine of Double Effect and challenging the application of the intention/foresight distinction to the most salient cases of side-effect consequences we can have an intention centered account of human action which can serve as a basis for moral evaluation which does not erode into consequentialism, i.e., the view that the consequences of an action rather than the agent's intention are the primary basis of moral evaluation. What must be rejected is not the role or importance of intention but the pernicious connection between a deontological prohibition on instrumental harming and action theory. Whether or not

such a prohibition is true, valid, or morally valuable is a separate issue from an accurate philosophical description of human action.

Having refuted the most salient objection to the Simple View and having defended ourselves against the charge of consequentialism, we can examine the problems associated with intention and intentional action at a deeper level and use the insights gained from our earlier analysis of Aristotle. One problem with contemporary accounts of intention is a narrow focus on deliberate action and intention. While it is the case that mature human action, human action *par excellence*, is deliberate, not every human action is. Human actions may be more or less deliberate, and the intentionality behind action is often indefinite, even when deliberate. Action description is notoriously imprecise, and while there may be thin and thick descriptions of action, there is no description of an action so thick that it rules out further re-description. Contemporary writers in the field of action theory often suppose that real human intentions are as precise and discrete as the propositional constructions used in academic articles and classroom hypotheticals. The analytic reduction of intentional states to propositional attitudes has a corollary in action theory and philosophical psychology: the distinction between intention and desire. Intentions, which are considered to be rational, linguistically-mediated propositional attitudes, are considered to be distinct from desires, which are considered to be somatic brute psychic forces which work on intentions. The former are considered to be subject to unique rational requirements by reason of their internal structure or genesis in deliberation, while the latter are not. The claim that intentions are differentiated from desires by being structurally different propositional attitudes, that is, by being self-referential propositional attitudes, is easily refuted. Likewise, the claim that intentions

are closer to the genesis of actions is also refutable since many contemporary thinkers allow either that desires can autonomously cause intentional action or that they can generate corresponding intentions. It seems, therefore, that the opposition between intention and desire is largely misunderstood, since intentions are not distinguished from desires on the basis of their proximity to the genesis of action.

We must replace this opposition with an analysis of intention in terms of desire. Language and rational reflection are certainly involved in the genesis of most human action; however, we must avoid the temptation to which so many have succumbed to argue that language and reason somehow replace desire in the genesis of human action, creating a fully autonomous capacity known as intention. As Alasdair MacIntyre insightfully argued in *Dependent Rational Animals*, language facilitates deliberation and the specification and conceptualization of desire, but it does not facilitate action in the absence of desire. Desire is fundamentally purposive, and desire is the fundamental intentional state. When English speakers modify action descriptions by adding the adjective ‘intentional’ or the adverb ‘intentionally’ they are usually pointing out the premeditation and deliberateness of an action; however, when they describe the purpose of the action, they call that the intention of the act, and this latter use seems not to entail deliberation. What is common throughout the uses of ‘intention’ and ‘intentional’ is purposiveness. What distinguishes the different purposive states is the level of specification, conceptualization, and deliberateness. Intentions, in the full sense, are deliberate desires, like Aristotle’s concept of *prohairesis*. However, intentions, in a wider sense, include any desiderative, purposive state. The actions of an incontinent

when he is incontinent are motivated not by deliberate intentions, but rather by non-deliberate intentions often labeled desires, which conflict with his deliberate intentions.

The Aristotelian solution to the challenges to the Simple View is to affirm the Simple View in its bare formulation but also to insist that the terms ‘intention’ and ‘intentional’ are ambiguous; require specification in terms of the classification of deliberate and non-deliberate desires as well as whether the intention in questions refers to the end or the means. The conundrum surrounding the Simple View stems from the fact that not every intentional action is the result of a deliberate and conceptualized intention. The wide range of human action suggests that what is primarily marked out by the term ‘intentional’ is the purposiveness, the goal-directedness, of an action; likewise, this suggests that the term ‘intention’ corresponds in its basic meaning to the notion of an agent’s end or goal. Agents do not always act deliberately or with an intention which is precisely conceptualized. They may not have a greater notion of what they want than ‘*this*’, whatever this object is at that moment. However, agents can also act with much more conceptualized and deliberate intentions. Deliberateness and conceptualization are not necessary conditions of intentionality but rather are qualifications of a basic intentional capacity. Thus, every intentional action is the result of some intention, construed broadly to include non-deliberate intentions often classed as desires. Likewise, the choice of means is intentional and intended *as* means to a further end and not in themselves.

I.1: Introduction to the First Part

Aristotle's concept of *prohairesis* presents many difficulties for a contemporary interpreter. In recent years there has been a resurgence of interest in Aristotle with respect both to his ethical theory and his theory of action. While there is a distinction between these two fields today, Aristotle treated them together in his ethical works. Aristotle's theory of human action is also distinguished from contemporary theories of action by being a subdivision of his account of animal motion in general, which he treats in the *De Anima* and the *De Motu Animalium*. This is in contrast to most modern and contemporary accounts of human action which draw a firm distinction between animal and human motion, the two being events of entirely different sorts: the former attributable to a mechanical, natural causality, the later to intention and free will. Intention and will are taken to be the foundation of moral evaluation and responsibility because they are the causes of our actions and choices. It is, therefore, difficult, to reconcile these accounts with Aristotle, since Aristotle's notion of *prohairesis*, translated often as 'choice' or 'moral purpose' or simply 'purpose', is not the single or universal cause of human action. Not all actions are chosen according to Aristotle, yet we are still morally responsible for them. Thus, it seems that Aristotle offers, at best, a problematic account of intentional action and one which cannot adequately account for important instances of moral fault, like *akrasia* (which is either against choice or without it).

In this part, we will attempt a comprehensive interpretation of Aristotle's notion of *prohairesis* situated in both his ethical works and his works on animal motion, but also looking to its appearance and role in his other works. We will begin with a brief survey

of the instances of *prohairesis* outside of the ethical works. This survey will show that the term *prohairesis* and its root verb *prohaireisthai* have a several related meanings, involving intention, moral evaluation and causality. We will then begin our account of *prohairesis* by first examining Aristotle's theories on animal motion, desire, imagination, and thought to properly situate the accounts of human action in the ethical works. Once we have a grasp of Aristotle's larger theory of animal motion, and a better understanding of the intentional aspects of desire and imagination, we will be in a position to properly interpret *prohairesis* in the ethics, where it is called a 'deliberate desire' (*bouleutikē orexis*). Within the ethical works, we will start with Aristotle's discussion of voluntary action, and show how this account flows from his discussion of animal motion in the *De Anima* and the *De Motu Animalium*. We will demonstrate that there is one account of voluntary action in Aristotle and that the essential element of voluntary action is *orexis*. Furthermore, it will be shown that *orexis* corresponds most closely with the English word 'intending' and that *orexis* has several forms, *boulēsis*, *epithumia*, *thumos* and *prohairesis* with differing objects and degrees of forethought, planning, coordination, deliberation and temporal directedness.

From our account of *orexis* we will show that *prohairesis* is a composite of *orexis* and *nous* by examining the process of deliberation, whose model is the practical syllogism. As we will show, the practical syllogism is a model of the actual process of deliberation but also of the general process of intentional actions in humans and animals, some of which are not deliberate; thus, the 'practical syllogism' does not necessarily involve fully linguistic, propositionally mediated thought. The 'practical syllogism' may involve two types of ends presented by some type of *orexis*, which are not explicitly

differentiated by Aristotle: an end achieved by some instrumental means and an end achieved through a means which itself is constitutive of the end. There are three possible outcomes for a practical syllogism or practical thinking in general: action with and caused by a *prohairesis*, action without a *prohairesis*, and action against a pre-existent *prohairesis*. From this and an examination of virtue and *akrasia*, it will be shown that *prohairesis* is not a strictly univocal term, but has a range of meaning with three main, related senses: primarily, the deliberate proximal intention with which an action is performed and according to which it is done (an ‘occurrent’ choice), best exhibited in the correct choices of the virtuous in action; secondarily, the habitual or ‘dispositional’ choice of ‘decent’ people, which is exhibited in intentions on the order of prior resolutions and general judgments; thirdly, in the widest sense of the things voluntarily done by human beings. Our account of *akrasia* will be critical to establishing these points. We will argue that *akrasia* is explained by Aristotle in two ways: 1) by *epithumia* causing ignorance of the particular; and 2) by *epithumia* causing action without discursive thinking. Neither case requires a *prohairesis* for action to result; however, both cases are voluntary. Thus, it will be shown that an *akratēs* may possess a *prohairesis* in a secondary sense without also possessing it in the primary sense.

In the course of our exegesis we will also make some conjectures about Aristotle’s positions on two issues of central importance to the second part of the dissertation: 1) the permissibility of instrumental harm; and 2) the intentionality and responsibility related to consequences beyond those directly as ends by agents. In the first case, we will argue that based upon Aristotle’s discussion of mixed action and the example of sailors in the storm, under certain conditions for certain ends, it is permissible

to intend instrumental harm. In the second place, we will argue that the description of ‘means’ or ‘what is toward the end’ that Aristotle gives as the object of *prohairesis* is indefinite enough to include consequences beyond the end intended and the immediate instrument of action; moreover, the inclusion of such consequences is more than likely given Aristotle’s discussion of ignorance and responsibility.

After we have finished our exegesis, it will be clear that Aristotle’s account of human action distinguishes types and degrees of intention, which contemporary discourse often does not consider essential. Contemporary analytic theories of action tend to treat intentions as if they were all of the same level of conceptual clarity and deliberateness; whereas, for Aristotle, ‘intention’ is never a discrete entity but always needs to be specified in relation to its object and the degree to which this has been informed by some kind of thought. This conclusion will provide the basis for the next chapter of this dissertation where we will examine how this multi-valent theory of intention can help to dissolve some of the difficulties in contemporary action theory, particularly paradoxes involving causal chains, as well as foresight and unintended consequences.

I.2: A Survey of *Prohairesis* in the Aristotelian Corpus

The word *prohairesis* is the noun-substantive form of *prohaireisthai*, which is the combination of the prefix *pro* with the verb *haireisthai*. The verb means ‘to choose’, although it originally meant ‘to grasp with the hand’ or ‘to seize’, and over time it was extended to mental grasp or understanding and to indicate preference or choice in general, whether this was indicated by one’s hands or not. The prefix indicates temporal priority, i.e., ‘before’, so that ‘*prohairesis*’ indicates “something chosen before other things” after prior thought or deliberation (*NE* III 2, 1112a15-19).³ The etymology is somewhat indefinite as to the ontological, psychological or other status of the word. The verb *prohaireō* appears as early as the 6th century B.C. in writings attributed to Hecataeus, Pythagoras and Anaxagoras.⁴ In the 5th century, Thucydides uses it once; Isocrates and Plato each more than twenty times. The verb *and* the noun *prohairesis* appear more than seventy times in the political speeches of Aristotle’s contemporary, Demosthenes. So it would seem to be a word in everyday use by ordinary Greeks. *Prohairesis* or *prohaireō*, in its various conjugations, appear more than 350 times in Aristotle’s writings; the vast bulk of these appearances are in the *Eudemian* and *Nicomachean Ethics*. Many interpreters of the *Nicomachean Ethics* assume that *prohairesis* is a technical term, if not of Aristotle’s own making, then one marked by his

³ All translations from the *Nicomachean Ethics*, unless otherwise noted, will be taken from Irwin’s translation: Aristotle, *Nicomachean Ethics*, trans. T. Irwin, 2d. ed. (Indianapolis: Hackett, 1999).

⁴ Here and for the remainder of this section, when I refer to the number of appearances of a Greek term in Greek literature or the Aristotelian Corpus, I will be referring to the results of searches conducted on the *Thesaurus Linguae Graecae* CD ROM E (University of California, Irvine: 2000), held at the O’Neill Library at Boston College. I am also indebted to the database for pointing me to a number of references cited below.

peculiar use.⁵ This does not seem to be borne out by its presence either in other writers or in the larger Aristotelian Corpus. As we shall see, Aristotle uses *prohairesis* and *prohaireō* both in a narrower, technical sense, and in wider non-technical senses. Specifically, Aristotle uses *prohairesis* in three main ways: 1) in the abstract, as a cause or principle of human action (*praxis*); 2) the deliberate intention or purpose with which an action is performed, which is a primary element in moral evaluation; 3) the general purpose, intent, goal or preference of an argument, law, regime, or person.

While *prohairesis*⁶ has an origin in common speech about human actions, intentions and purposes, Aristotle takes an interest in speaking about it as a distinct causal principle that he attempts to fit into his larger metaphysical system. It does not appear frequently in the *Physics* or the *Metaphysics*, but when it does, it is defined in relation to other important concepts such as necessity, chance, luck, potency, and ‘beginning’ or principle (*archē*). *Prohairesis* is a principle and potency opposed to necessity but among things that can be affected by chance and luck.

In the *Physics*, Aristotle discusses *prohairesis* in his discussion of necessity, chance and luck, in Book Beta, chapters 5 and 6, and this discussion similarly appears in *Metaphysics* Delta and Kappa. The first mention of *prohairesis* in the *Physics* describes *prohairesis* as a cause of something’s coming to be for the sake of something. Not all

⁵ “The writer here examines the operation of the Will, which is regarded as essentially an act of choosing between alternatives of conduct. The technical term employed, ‘choice’ or ‘preference,’ has appeared in the formal definition of virtue (2.6.15). In the present passage, cf. 2.9, it is viewed as directed to means: at the moment of action we select from among the alternative acts possible (or expressing it more loosely, among the various things here and now obtainable by our action) the one which we think will conduce to the end we wish. Elsewhere however (3.1.15 and 6.12.8) it is used of the selection of ends, and it is almost equivalent to ‘purpose’; while at 6.13.8 it includes both ends and means (see also 7.9.1). The writer returns to the subject in Bk. 6.2.” See Aristotle, *Nicomachean Ethics*, *The Loeb Classical Library: Aristotle in Twenty-Three Volumes*, Vol. 19, trans. H. Rackham (Cambridge, Mass.: Harvard University Press, 1934) 128-129, translator’s footnote a.

⁶ For the remainder of this section, I will use *prohairesis* to also stand in for the verb *prohaireisthai* for ease of writing.

things come to be for the sake of something, and not all things come to be for the sake of something because of *prohairesis*. Things that come to be through *prohairesis* can possess a final cause even though they do not come about through necessity or for the most part (*Phys.* B 5, 196b18-19).⁷ Moreover, necessity can be an obstacle to motion or chance, and in this sense, it can be a source of compulsion or a hindrance opposed to *prohairesis* (*Meta.* Δ 5, 1015a20-35).⁸ *Prohairesis*' place outside of the realm of necessity leads Aristotle to discuss it in relation to chance and luck. It often happens that men go out with one purpose and on their way they accomplish another, and the accomplishment of the other purpose is attributed to luck because the *prohairesis* was not present in them as the cause of their original trip (*Phys.* B 5, 197a2).⁹ Luck, as opposed to chance, applies specifically to things caused by *prohairesis*: "It is clear, then, that luck is an accidental cause of things done according to choice and for the sake of something: and so both thought and luck are concerned with the same thing, for choice is not without thought" (*Phys.* B 5, 197a6-8; *Meta.* K 8, 1065a29-32). Aristotle distinguishes chance as a wider term than luck: anything that happens by luck, happens by chance, but not everything that happens by chance is a matter of luck. Chance applies to any happening whatsoever, not just those involving human actions and *prohairesis*, and *prohairesis* is a unique feature of human action. Neither animals nor children, Aristotle says, are said to

⁷ From Apostle's translation of the *Physics*: Aristotle, *Aristotle's Physics*, trans. H. Apostle (Grinnell, Iowa: Peripatetic Press, 1980).

⁸ All translations of the *Metaphysics*, unless otherwise noted, will be from Tredennick's Loeb translation: Aristotle, *Metaphysics*, *The Loeb Classical Library: Aristotle in Twenty-Three Volumes*, Vol. 17, trans. H. Tredennick (London: William Heinemann, Ltd., 1933).

⁹ All further translations of the *Physics* will be from Wicksteed and Cornford's Loeb translation: Aristotle, *Physics*, *The Loeb Classical Library: Aristotle in Twenty-Three Volumes*, Vol. 4, trans. P.H. Wicksteed and F.M. Cornford (Cambridge, Mass.: Harvard University Press, 1929).

be lucky because they do not possess *prohairesis* (*Phys.* B 6, 197b21-22, see also *Pol.* III, 5, 1280a34).¹⁰

The discussion of necessity, chance, luck and *prohairesis* points to its importance in Aristotle's philosophy, which is underscored by Aristotle's classification of *prohairesis* as a fundamental kind of *archē* or principle as well as a kind of *dunamis* or potency that causes motion to occur in the manner that it does, like *phusis* or *ousia* (*Meta.* Δ 1, 1013a10-11; 1013a18-25; 11, 1018b22-26; see also *Oec.* II, 1345b9).¹¹ In particular, *prohairesis* plays a crucial, guiding role in the ways in which a being's other potencies are realized. In *Metaphysics* Θ, chapter 5, Aristotle examines the different kinds of *dunamis* or potency. Potencies can be divided into the rational and the irrational, of which living things can possess both. Rational potencies can have contrary effects whereas irrational potencies are determined to one type of actualization. It would seem, then, that a rational potency could produce contrary effects simultaneously, but this, Aristotle says, is impossible. It is impossible because it violates the law of contradiction, two contrary attributes cannot be predicated about the same subject, at the same time, etc. However, the account also omits key components in the account of motion in living things. The realization of these potencies is directed by *orexis* or *prohairesis*, such that the controlling desire (*hopoterou gar an oregētai kuriōs*) will select the actualization of the potency in the circumstances, if nothing hinders it. It seems here that *prohairesis* is equivalent to a kind of controlling desire, though Aristotle's use of a disjunction suggests that it is not identical with *orexis* (*Meta.* Θ 5, 1048a1-24).

¹⁰ All references to the *Politics* will be from Rackham's Loeb translation: Aristotle, *Politics*, The Loeb Classical Library: Aristotle in Twenty-Three Volumes, Vol. 21, trans. H. Rackham (Cambridge, Mass.: Harvard University Press, 1944).

¹¹ See Aristotle, *Oeconomica*, The Loeb Classical Library: Aristotle in Twenty-Three Volumes, Vol. 18, trans. C.G. Armstrong (Cambridge, Mass.: Harvard University Press, 1935).

The importance of *prohairesis* as a cause of some animal motion, i.e., that of a mature human being, makes it surprising that it appears only once in the *De Anima* and only three times in one passage in the *De Motu Animalium*. In the *De Anima*, it appears during a survey of predecessors' views on how the soul moves the body, specifically where Aristotle rejects Democritus' atomic theory because, "In general the living creature does not appear to be moved by the soul in this way, but by some act of mind or will (*dia proaireseōs tinos kai noēseōs*)" (*DA* I 3, 406b25).¹² Similarly, in the *De Motu Animalium*, Aristotle merely names *prohairesis* as a cause of the movement of animals, along with thought (*dianoia*), imagination (*phantasia*), wish (*boulēsis*), sensual desire (*epithumia*), and anger (*thumos*). All of these essentially boil down to thought (taken widely to include imagination) and desire or appetite (*orexis*), of which wish, sensual desire, and anger are all types. *Prohairesis*, Aristotle says, shares in both thought and desire, which makes its position ambiguous. At the end of the passage where *prohairesis* is named, Aristotle suggests that either *orexis* or *prohairesis* is the cause of motion, much like his conclusion in the *Metaphysics*, which would seem to put *prohairesis* on the side of thought, although the reasoning is neither stated nor obvious (*DM* VI, 700b11-701a4).¹³ Since both works treat of ensouled beings in general and not just human

¹² All references to and translations of the *De Anima*, unless otherwise noted, will be taken from Hett's Loeb translation: Aristotle, *De Anima*, The Loeb Classical Library: Aristotle in Twenty-Three Volumes, Vol. 8, trans. W.S. Hett (Cambridge, Mass.: Harvard University Press, 2000. For future reference, it will be abbreviated as "DA" in parenthetical citation.

¹³ All references to and translations of the *De Motu Animalium*, unless otherwise noted, will be taken from E.S. Forster's Loeb translation: Aristotle, *On the Movement of Animals*, The Loeb Classical Library: Aristotle in Twenty-Three Volumes, Vol. 12, trans. E.S. Forster (Cambridge, Mass.: Harvard University Press, 1998). For future reference, it will be abbreviated as "DM" in parenthetical citation. In *DA* III 9, 432b4-7, Aristotle cites the location of *boulēsis* in the calculative part (*to logistikon*) of the soul as a problem for dividing the soul into parts, since *boulēsis* is a species of *orexis* and other *orexeis* are irrational. In the *Rhetoric* I, 10, 1369a1-4, Aristotle contrasts the longing for the good which is characteristic of *boulēsis* with the irrational desires, *epithumia* and *thumos*.

beings, it may be that Aristotle has saved a specific, rigorous treatment of *prohairesis* for his ethical works. Likewise, it might be suggested that the brevity of Aristotle's treatment of *prohairesis* in the *Physics* and *Metaphysics* stems from those works' wider scope and their theoretical, as opposed to practical, subject matter.

In any case, outside of these works Aristotle does have more to tell us about *prohairesis*' causal relation to human action, particularly in the *Rhetoric*. Since the *Rhetoric* is directed towards instructing orators on how to make persuasive speeches, especially those that call for praise or blame, it is no accident that *prohairesis* figures prominently. Aristotle says that praise is based on actions (*praxis*), and that morally praiseworthy men, *spoudaioi*, characteristically act according to *prohairesis*. A man we mean to praise must be shown to act in that way and to do so habitually. Aristotle advises that we should even attribute accidents or strokes of luck to the man's *prohairesis* to induce our listeners into believing they are signs of virtue and *prohairesis*. As much as we may focus on the manner of a man's actions, it is imperative to show that the actions themselves are good, virtuous and praiseworthy. Without achievements (*ta erga*), there is nothing to praise (*Rhet.* I 9,1367b19-33).¹⁴ It is interesting to note that in this passage, Aristotle equates *to ergon*, "work" or "achievement", with *praxis* or action. As Aristotle uses it here, *praxis* has a wide sense; it seems to indicate anything voluntarily done by human beings.¹⁵ It is important for the speaker to describe what an agent has done as being the result of *prohairesis*, though it need not have been to have happened. This is

¹⁴ All references to the *Rhetoric* will be from Freese's Loeb translation: Aristotle, *Rhetoric*, The Loeb Classical Library: Aristotle in Twenty-Three Volumes, Vol. 22, trans J.H. Freese (Cambridge, Mass.: Harvard University Press, 1926).

¹⁵ See Irwin's translator's notes for the *Nicomachean Ethics*, VI, 2, page 239 and the translator's glossary entry for "action", page 315, on the range of meaning of *praxis*. Irwin notes that *praxis* can be used in a wide sense to include any action which is either intentional or voluntary, and it can also be used in a restricted sense to include only those actions which result from deliberation and decision. Terence Irwin, *Nicomachean Ethics*, 2d. ed. (Indianapolis: Hackett, 1999).

confirmed later when Aristotle says that “What is done voluntarily is not always done with premeditation” (*Rhet.* I 10, 1368b10-11). *Prohairesis* contributes a moral quality to actions through being their cause; it seems to contribute a characteristic manner, which can make them better or worse than if they had been performed without it. If someone commits injustice not simply voluntarily but with a *prohairesis*, which Aristotle links to the agent’s knowledge of himself and his circumstances, that person is worse than someone who commits the same act merely voluntarily (*Rhet.* I 10, 1368b6-22; 13, 1373b27-37; 13, 1374a10-16). As Aristotle discusses elsewhere, it is the *prohairesis* with which man speaks that makes his statement a lie (*Meta.* Δ 29, 1025a1-14; see also *Top.* IV 5, 126b9-10 on slander and imposture).¹⁶ We shall return to this below.

The causal relationship between *prohairesis* and *praxis* is not, however, entirely clear in the material outside of Aristotle’s ethical works. In *Metaphysics* E, chapter 1, for example, Aristotle claims that “the thing done and the thing willed are the same (*to auto gar to prakton kai prohaireton*)” (*Meta.* E 1, 1025b23-25). Yet, earlier in the *Metaphysics*, Aristotle says that among the senses of potency is “The power of performing [an act] well or according to intention (*kata prohairetin*); because sometimes we say that those who can merely take a walk, or speak, without doing it as well as they intended (*mē kalōs de ē mē hōs proheilonto*),¹⁷ cannot speak or walk” (*Meta.* Δ 12, 1019a.22-23). Likewise, in the *Rhetoric*, when Aristotle discusses equity (*epieikeia*), he says that it is equitable to look “not at the action itself, but to the moral purpose (*kai mē pros tēn praxin alla pros tēn prohairetin*)” (*Rhet.* I 13, 1374b14). So it seems that, as we have seen, human action, in the widest sense, does not require *prohairesis*, and that

¹⁶ See Aristotle, *Topica*, *The Loeb Classical Library: Aristotle in 23 Volumes*, Vol. 2, trans. E.S. Forster (Cambridge, Mass.: Harvard University Press, 1960).

¹⁷ *Proheilonto* is the second aorist indicative middle third person plural form of *prohaireisthai*

even when there is a *prohairesis* present in an agent in the moment of action, there is no guarantee that it is sufficient to give the action its stamp or character. An action may or may not reflect or be caused by an agent's *prohairesis*, and it is sometimes necessary to evaluate them separately. Yet this raises questions about how we are able to judge *prohairesis* at all on the basis of action, and Aristotle seems, more often than not, to want a direct causal connection between *praxis* and *prohairesis*, when *prohairesis* is present in an agent at the moment of action. He tends to speak of this as representative of all voluntary human action even though there are significant exceptions.

For Aristotle, *prohairesis* is a key element in moral evaluation because of its causal link to action and its link to character (*ēthos*). In the *Poetics*, Aristotle says that character “is that which reveals choice, shows what sort of thing a man chooses or avoids in circumstances where the choice is not obvious,” and a writer demonstrates character through speeches about what the speaker chooses (*Poet.* 1450b9-b10a; 1454a18; see also *Rhet.* I 8, 1366a15).¹⁸ There is a reciprocal relationship between character and *prohairesis*: if one has a certain character, one tends to have certain intentions and make certain choices; likewise, it is through making choices that one's character is assessed: “for the wicked are always so called because of their deliberate choice (*kata prohairesin*) of evil” (*Top.* IV 5, 126a36). The possession of a *prohairesis* reflecting a certain type of character is not, however, merely an affective or passive capacity, it is executive, as Aristotle says in the *Topics*: “For a just man is rather he who deliberately chooses (*ho prohairoumenos*) to distribute what is equal than he who has the capacity for doing so” (*Top.* VI 7, 145b37; see also *Top.* IV 5, 126b9-10; *Rhet.* II 12, 1388b31-35). Further, as

¹⁸ See Aristotle, *Poetics*, The Loeb Classical Library: Aristotle in Twenty-Three Volumes, Vol. 23, trans. W.H. Fyfe (Cambridge, Mass.: Harvard University Press, 1932).

Aristotle remarks in the *Rhetoric*, *prohairesis* is closer to action than other states or affections of the soul. Those who seek to commit injustice or revenge wish to harm others, and this is exhibited by emotions such as anger or expressions of enmity. Having the wish, however, does not entail committing the action, for often one has neither the opportunity nor the power to commit injustice or exact revenge; however, once the opportunity presents itself, especially in the case of “outraged virtue”, one chooses (*prohairesetai*) to exact revenge (*Rhet.* II 4, 1382a33-b2).¹⁹ Generally, what is the result of a *prohairesis* is good, or is seen as good by the agent, just as what is wished or even desired is seen as good for some reason, even if only because it is pleasant. However, *prohairesis* is directed towards the accomplishment of a goal, “things which might happen, and things which easily happen; by the latter are meant things that happen without labor or in a short time, for difficulty is defined by labor or length of time (*Rhet.* I 6, 1363a19-b4; see also *Rhet.* II 23, 1400a35-b3). Thus, a sophist is defined not by his use of persuasive speech but by the particular conclusions he wishes his listeners to draw, the goals of his speech; those are his *prohaireseis* (*Rhet.* I 1, 1355b18-22).²⁰

As is already evident, the various meanings that *prohairesis* takes in Aristotle bleed into one another: the physical sense leads to the ethical sense, and both lend themselves to wider extension. We started by examining *prohairesis*’ appearance in theoretical works and Aristotle’s naming it as a cause of motion unique to human beings and characteristic of action, exhibiting intention or purpose, which is the subject of moral evaluation. The final sense of *prohairesis*, the widest sense of the term, is the sense

¹⁹ The phrase “outraged virtue” is quoted from the Loeb translation of the *Rhetoric*.

²⁰ The use of *prohaireo* to mean the goal of a speech also occurs in the *Topics* (*Top.* I 3, 101b7)

which would be familiar to those listening to Demosthenes: *prohairesis* as a term for a general intention of an end, a purpose, one which is not necessarily good or practical.

As Aristotle says in the *Rhetoric*, *prohairesis* “has reference to an end” and as *prohairesis* goes, so follows the character and the end of the agent (*Rhet.* I 8, 1366a15; III 16, 1417a15-17). Aristotle does not there specify which things count as ends, such as physical movements, states of affairs, things to be obtained instrumentally, things constituted by actions, or artifacts. In the sense of the term that concerns persuasive speeches, it seems to pertain only to moral matters, since he denies that mathematical treatises, or theoretical treatises, can involve *prohairesis* because they do not concern character; whereas the Platonic dialogues may involve *prohairesis*, since they customarily have character as a subject.²¹ One expresses a *prohairesis* in speech by expressing one’s preferences, purposes or resolutions, of which he gives the following example: “But I wished it, and I preferred it; and even if I profited nothing, it is better” (*Rhet.* III 16, 1417a15-33; see also *Rhet.* II 21, 1395a28-1395b1; 22, 1395b14-16).

The sense of a *prohairesis* as an intention of a general goal, policy or resolution occurs in the *Poetics*, *Rhetoric*, *Topics*, and the *Politics*. The verb *prohaireō* can express a general preference for a choice of life, such as the choice between the contemplative life and the life of politics, the place of friendship has as the purpose of social life, or the tendency of some to choose to get more than their fair share of good such as money or

²¹ This division is not strictly followed by Aristotle himself. In the *Topics*, *prohairesis* also occurs in a non-moral sense, in the selection of the terms and premises of an argument (*Top.* VIII 1, 156a34). This is similar to at least one occurrence of *prohaireō* in Plato, in the *Parmenides* at 143c where the Stranger discusses ‘selecting’ or ‘choosing’ the terms or topics of discussion, whether being, otherness, or unity. That dialogue is not, as most other Platonic dialogues are, concerned with virtue. It also occurs at the very beginning of the *Politics*, where Aristotle announces the selection of his subject matter (*Pol.* II, 1, 1260b27-29). See Plato, *Parmenides*, *The Loeb Classical Library: Plato in Twelve Volumes*, Vol. 12, trans. H.N. Fowler (Cambridge, MA: Harvard University Press, 1926).

honor (*Pol.* VII 1, 1324a31; III 5, 1280b39; II 4, 1266b35-28). The sense of preference also occurs in the *Poetics*, where Aristotle counsels that “What is convincing though impossible should always be preferred to what is possible and unconvincing” (*Poet.* 1460a26). This also occurs in Plato, in the *Theaetetus* at 147d5, for example, where it is said that one should have a preference for a good friend. Aristotle also uses it to signify a habitual direction of choice or preference, as when he says that “the best form of citizen is one who has the capacity and the will to be governed and to govern with a view to the life in accordance with virtue” (*Pol.* III 7, 1284a1-2). Likewise, in the *Rhetoric*, Aristotle describes “those who have been slandered” as the easiest to slander because they do not choose (*prohairountai*) to go to court because they fear the judges’ prejudice (*Rhet.* I 12, 1372b35-36).

The most common use of *prohairesis* in the *Politics* is for the intentions of legislators in written laws and constitutions, i.e., the spirit of the law. For instance, Aristotle regards the freedom of women as harmful to the fundamental aims of a regime (*pros tēn prohaireisin tēs politeias*) (*Pol.* II 6, 1269b12-14). In one passage, *prohairesis* is set as the equivalent of what a legislator wishes (*bouletai*), as where the Spartan law demanding contributions from all citizens for the common mess, regardless of wealth or poverty, had effects that went against what the legislator wished and intended by the law (*Pol.* II 6, 1271a30-35).²² The connection between *prohairesis* and *boulēsis* also occurs when Aristotle discusses revolutions: sometimes rebels choose (*prohairountai*) the same form of government, “but wish (*boulōntai*) it to be in their own control” (*Pol.* V 1,

²² This also occurs in the *Topics*, where Aristotle announces his intention or *prohairesis* not to give an exact definition for all the kinds of reasoning, but rather “wishes” (*boulometha*) to proceed “in outline” (*Top.* I 1, 101a22).

1301b11-13). Similarly, Aristotle criticizes Pericles for instituting a fee for service on the law-court, against the *prohairesis* of Solon (*Pol.* II 9, 1274a10-12).

As this brief survey illustrates, *prohairesis* is not a word peculiar to Aristotle or alien to the ordinary Greek usage of his time; although Aristotle is probably peculiar in making *prohairesis* a distinct metaphysical and psychological principle. In any case, just as the ordinary Greek could use it or its parent verb to indicate concrete, particular choices or more abstract resolutions or intentions, so too Aristotle can use it for the same range of meanings, and he does so in a number of his works. The fact that *prohairesis* has this range of meaning in Aristotle's own works outside of the ethical works will be important for interpreting its appearances within the ethical works, where we must pay careful attention to the context of its use to determine how precisely and in what manner Aristotle is using it.

Before we examine the place of *prohairesis* in the ethical works, we need to examine the larger psychological framework in which it is placed. Many scholars approaching the place of *prohairesis* in Aristotle's ethical works neglect to examine the psychological works in any great detail. The failure to incorporate Aristotle's account of the soul in the genesis of both human and animal motion through desire (*orexis*), imagination (*phantasia*) and thought (*dianoia*) means that many scholars do not adequately understand the genesis and work of *prohairesis* in human action. Specifically, as we shall see, without the psychological works, Aristotle's account of voluntary action and *akrasia* seems incomplete, incoherent, or implausible.

I.3: Sources of Voluntary Motion in the *De Anima* and *De Motu Animalium*

I.3.1: Desire, Imagination and Action in the *De Motu Animalium* and *De Anima*

While *prohairesis* is mentioned a combined four times in the *De Anima* and *De Motu Animalium*, both works deal with human action as a species of animal motion. Since man is an animal, albeit a rational animal, the psychological mechanics of human action, though specifically different, is still generically the same as that of other animals. Indeed, the bulk of Aristotle's examples in both works are human actions, even though the subject of each is the larger genus of animal motion. In these works, as we shall subsequently argue, Aristotle presents the basis for his account of the voluntary in the *Nicomachean Ethics*. The principle involved in all animal motion is *orexis*, and this principle is an intentional capacity, directed towards an end, which is presented by the faculties of sensation, imagination (*phantasia*) and intellect. The process by which *orexis* produces motion is similar in all instances of animal motion, and Aristotle uses a syllogistic analogy to demonstrate this. This analogy also illustrates the power of the imagination, which is not a merely passive faculty of reproduction. Aristotle's accounts in these works provide the basis for his ascription of voluntary action to animals and children as well as his claims that *prohairesis* directs only a subset of voluntary human motion in the ethical works. In our examination of the psychological works, we will show how action without *prohairesis* can be intentional through the operation of *orexis* and *phantasia*.

In the *De Anima*, Aristotle begins his own analysis of the soul and its parts in Book II, after having surveyed his predecessors. In chapter 1, he asserts that the soul is the form of a body, and so they both are united while remaining intelligibly distinct, as wax and the impression it bears are. In chapter 2, he makes his own ‘fresh start’ by looking at the many senses the word ‘life’ (*hē zōē*) has. ‘Life’ is said in many ways, but particularly, living seems to consist in mind (*nous*), sensation (*aesthēsis*), motion (*kinēsis*), rest (*stasis*), nutrition (*hē kata trophēn*), decay (*phthisis*) and growth (*auxēsis*). All ensouled beings, even, Aristotle notes, plants, have some nutritive capacity and the capacities of growth and decay. All animals, even immobile ones, share these capacities but they also have sensation, that is, at least the sense of touch. However, sensation is no stand-alone faculty: “if it [an animal] has sensation, it must also have imagination and appetite (*orexis*); for, where sensation is, there is also pain and pleasure, and where these are, there must also be desire (*epithumia*)” (*DA* II 2, 413b23-25). Here, Aristotle identifies two of the important elements of human action he discusses in the *Ethics*, *orexis* and *epithumia*, as well as their connection to pain, pleasure and imagination. These powers exist in animals other than human beings, which will have important consequences for our discussion of the train of human practical thinking. Shortly thereafter, in chapter 3, Aristotle tells us how *orexis* and *epithumia* are related: *epithumia*, *thumos* and *boulēsis* are each a form of *orexis*. To have sensation is to be able to perceive pleasure and pain, and to perceive them is the basis for desiring the former and avoiding the latter. The most basic *orexis* is *epithumia*, “for desire (*epithumia*) is our appetite (*orexis*) for what is pleasant” (*DA* II 3, 414b2-7). Theoretical and practical thinking are added, specifically human, capacities to sensation and imagination (*DA* III 3,

427a17-22; 427b7-9).²³ Since the capacity for imagination is not a specifically human faculty, it is easy to overlook its significance for Aristotle's account of practical thought and action, specifically its connections to deliberation and incontinent behavior.

Imagination (*phantasia*) is different both from sensation (*aisthēsis*) and thought (*dianoia*), but, even without being 'thought', properly speaking, it "always implies perception and is itself implied by judgment (*hupolēpsis*)" (*DA* III 3, 427b15-17). The close conceptual proximity of imagination to sense, judgment, and thought introduces a puzzle as to what imagination is. Although it seems to follow judgment, it seems that it cannot be judgment: imagination seems to be an affection (*pathos*) in our power (*eph' hēmin*) which we observe like spectators (*theōmenoi*) looking at a drawing (*graphē*); whereas judgments imply opinions, whose objective truth or falsity is not up to us, and which, once formed, immediately affect us, e.g., inspiring fear or courage (*DA* III 3, 427b15-26). Imagination, then, is not judgment, but it seems to be something by which we judge (*kath'hēn krinomen*)²⁴, and this includes sensation (*aisthēsis*), opinion (*doxa*), knowledge (*epistēmē*), and intellect (*nous*). Sensation and imagination are not identical since: 1) they do not always occur together, as we do not see when we are asleep but can dream of things seen; 2) they do not seem to occur in every animal with sense, e.g., ants, bees and grubs; and 3) all sensations of primary sensibles are true, while most imaginings are false. Imagination cannot be knowledge or intellect because neither of those faculties can err according to Aristotle (*DA* III 3, 428a1-17).

²³ Aristotle says that "all living creatures have a share in the former [sensation], but only a few in the latter [practical thinking]" (*DA* III, 3, 427b7-9). It is curious to note that this seems to leave open the possibility of higher order animals having some level of practical intelligence.

²⁴ The importance of the role of imagination to judgment will be examined below in our treatment of Martha Nussbaum's *Aristotle's 'De Motu Animalium'* (Princeton: Princeton University Press, 1978).

Opinion or belief (*pistis*) is the only dubious candidate which remains to be eliminated. Opinions have the following qualities according to Aristotle: 1) they may be true or false; 2) they entail belief “for one cannot hold opinions which one does not believe”; 3) if they entail belief and belief entails conviction (*to pepeisthai*), then opinion requires reason (*logos*). While animals have the capacity for imagination, they do not have reason (*logos*), and this means that opinion and imagination cannot be identical. Moreover, Aristotle concludes that, “It is clear, then, that imagination cannot be either opinion in conjunction with sensation, or opinion based on sensation, both for the reasons given, and because the opinion relates to nothing else but the object of sensation” (*DA III* 3 428a18-28). The position of imagination in between sensation and opinion gives it great importance in animal and human behavior:

because imaginations persist in us and resemble sensations, living creatures frequently act in accordance with them, some, viz., the brutes, because they have no mind, and some, viz., men, because the mind is temporarily clouded over by emotion, disease, sleep (*DA III* 3, 429a5-9)

The persistence of the imagination beyond the immediate sensation allows it to act, in the case of non-human animals, like intellect or reason and to be forward-looking. For example, we might imagine that wolves seeking lambs retain the lamb not in sensation, which would disappear with the sight of the lamb when the wolf hid for an ambush, but through imagination. More importantly, for ethics, passion can make the intellect passive and the imagination operative. The behavior of the incontinent need not be bestial or wanton; it can be goal-directed and forward-looking, even discursive in the procession of imagined pleasures, without being fully rational or requiring deliberation or conviction.

The Aristotelian conception of the imagination is important to keep in mind for the discussion of the practical syllogism because the practical syllogism is an analogy that models the actual activities of the soul in generating motion. Aristotle begins this analogy by talking about the role of sensation in this process:

Sensation, then, is like mere assertion and thinking; when an object is pleasant or unpleasant, the soul pursues or avoids it, thereby making a sort of assertion or negation. To feel pleasure or pain is to adopt an attitude (*to energein*) with the sensitive mean towards good or bad as such. This is what avoidance or appetite (*orexis*), when actual, really means, and the faculties of appetite (*orektikon*) or avoidance are not really different from each other or from the sensitive faculty, though their actual essence is different (*DA* III 7, 431a8-18).

Here Aristotle describes a ‘thought’ process without thought, something that can take place in lower animals on the analogy with thought, which takes place properly only in man.²⁵ In the imagination, a sensation can be thought to take on the role of an assertion when it is associated with pain or pleasure: with the former, it is an assertion, the latter a negation. The feeling of pleasure and pain is, in itself, already to be actualized (*to energein*) towards goodness or badness; in animals, natural instincts align their pleasures with their ends. Desire (*orexis*) goes part and parcel with having a sensitive faculty and imagination; however, it is distinguishable in its operation from them. Thus, animals are capable of self-motion from an internal principle towards a perceived good, which is, in essence, the account of the voluntary Aristotle offers in Book III, chapter 1, of the *Nicomachean Ethics*, and in Book II of the *Eudemian Ethics*. Sensation is to the imagination in lower animals as the imagination is to the intellect in the human soul.

²⁵ See Nussbaum, *The Fragility of Goodness: Luck and ethics in Greek tragedy and philosophy* (Cambridge: Cambridge University Press, 2001), 274-276 for the relation of *orexis* and *phantasia* to ‘thought’ in animals. We shall examine this further below.

Human thinking takes place at a higher level, but we are meant to see how lower animals act in a similar fashion by means of the imagination (*DA* III 7, 431a14-17).²⁶

The analogy between theoretical and practical thinking roughly sketched in the *De Anima* is more completely drawn in the *De Motu Animalium*.²⁷ In the *De Anima*, Aristotle analogizes the premises of the theoretical syllogism with the data of sense and the combinative powers of imagination and desire. In the *De Motu Animalium*, he shows how these premises are related in practical syllogisms. The lead-in problem, to which the illustration of the practical syllogism is the solution, is the disconnect between thought and action: “But why is it that thought sometimes results in action and sometimes in movement and sometimes not?” Aristotle says that the same issue exists in theoretical thinking, where thought sometimes does and sometimes does not reach a conclusion or make an inference about unchanging entities based upon premises. In speculative thinking, the premises combine to form a conclusion, whereas in practical thinking the premises combine to produce an action, the conclusion becomes the action (*to sumperasma ginetai hē praxis*) (*DM* VII, 701a7-13). After making this comparison, Aristotle gives several examples of thought leading to action via the analogy of the syllogism, in quick succession. He says,

For example, when you conceive that every man ought to walk and you yourself are a man, you immediately (*eutheōs*) walk; or if you conceive that on a particular occasion no man ought to walk, and you yourself are a man, you immediately (*euthus*) remain at rest. In both cases, action follows unless there is some hindrance or compulsion. Again, I ought to create a good, and a house is a good, I immediately create a house. Again, I need a

²⁶ I am indebted to Nussbaum for this point, see *Fragility*, 267 for an account of the link between *phantasia* and human and animal movement. We shall examine this at length below.

²⁷ Nussbaum regards the *De Motu Animalium* as more authoritative than the *De Anima*, whereas I see them as complementary. See Nussbaum, *Fragility*, 276.

covering, and a cloak is a covering, I need a cloak. What I need I ought to make; I need a cloak, I ought to make a cloak. And the conclusion ‘I ought to make a cloak’ is an action (*kai to sumperasma, to himation poiēteon, praxis estin*) (DM VII, 701a13-25).

The premises contain two kinds of content, “the good and the possible,” that is, the goal and the existent conditions and means to its realization. In each case, a goal is given in the major premise, presumably by some type of *orexis*, and the minor premise identifies either the particular action, agent, or means which realizes the goal. The conclusion follows immediately unless there is some impediment, and this applies both to things pursued and things avoided. In the case of walking, both walking and not walking can be choices or actions. Even though not walking is not something done, the walking is something avoided, and it can be avoided by any number of other actions; refraining from walking opens up the possibility for other actions in its stead.²⁸ Aristotle is aware of the simplicity of this analogy; it is merely a sketch. In the examples given, the action results from the beginning (*ap’ archēs*), the goal desired, in a similar fashion to a theoretical conclusion resulting from first principles. Obviously, most actions involve more thinking than this brief sketch, and Aristotle observes, “If there is to be a cloak, such and such a thing is necessary, if this thing then something else, and one immediately acts accordingly.” We search in each case for the means to realize the ultimate end, proceeding to mediate ends along the way, until we finally reach the thing to be done (or avoided) in the present, and that action is the conclusion of a particular stretch of

²⁸ See Nussbaum, *Aristotle’s ‘De Motu Animalium’*, p. 343 for a concurring opinion on the status of non-action, *contra* Kenny, “The Practical Syllogism and Incontinence,” *Phronesis* 11 (1966): 176-77 (esp. 163-84). According to Nussbaum: “Apparently Aristotle means us to understand that once the state of rest is chosen as a result of the agent’s deliberation (although he may have been at rest before) it is then an action, and, *qua* action, follows directly from two premises.”

practical thinking. In the *Ethics*, this is precisely the sketch of deliberation (*bouleusis*) given in Book III, as we shall see.

While there are clear parallels between the syllogistic sketch linking thought and action and deliberation as it is described in the *Ethics*, it is clear that Aristotle is not limiting the sketch to a description of deliberation: The same sketch applies even to action done quickly, with little or no thinking, or begun from *epithumia* or *thumos*. Furthermore, action or *praxis*, as it was applied in the previous passage, included *poiēsis*, e.g., the making of the cloak. In the *Ethics*, *praxis* does not, in the stricter sense, include the acts or products of *poiēsis*, since they fall under *technē*.²⁹ This is a sign both of the malleability of Aristotle's technical vocabulary and the wider scope of this particular investigation. However, just as in a dialectical exercise or eristic, when answers are garnered through cross-examination and questioning, “. . . so here the mind (*hē dianoia*) does not stop and consider at all one of the two premises, namely, the obvious one, for example, if walking is good for a man, one does not waste time over the premise ‘I myself am a man.’ Hence such things as we do without calculation (*mē logisamenoi*) we do quickly” (*DM* VII, 701a25-b1). We may have immediate knowledge of ourselves or our circumstances which does not require reflection to activate, either due to its being obvious or, we might suppose, also because we retain such knowledge by habit. Aristotle himself does not consider this last option, but it would be perfectly consistent with his theoretical analogy, for the mind retains by habit the conclusions of science, and there are, obviously, habits in practical thinking as well.

In any case, when the end which is the goal of the action is apprehended, as presented either by sensation (*aisthēsis*), imagination (*phantasia*) or thought (*nous*), the

²⁹ See Irwin, *Nicomachean Ethics*, the translator's glossary entry for *praxis* under ‘action’, 315.

agent “immediately does what he desires (*hou oregetai*); the carrying out of his desire takes the place of inquiry or thought” (*DM VII*, 701a30-31). The example Aristotle gives to illustrate quick action makes it clear that it has a wide extension to different types of human action and to animal action: “My appetite (*epithumia*) says, I must drink; this is drink, says sensation or imagination or thought, and one immediately drinks” (*DM VII*, 701a32-33). While deliberation (*bouleusis*) begins with wish (*boulēsis*) and not desire (*epithumia*), as Aristotle makes clear in the *Ethics* and the *De Anima*, *epithumia* with the help of imagination can cause action, and this is precisely the kind of action the incontinent performs when he is incontinent. Moreover, this is the way in which most animals move themselves, since they for the most part have only *epithumia* and *thumos*. Both humans and animals are moved by *orexeis*; it is, however, characteristic of mature human action that it is initiated by *boulēsis* and mediated by deliberation; animals move primarily by *epithumia* without deliberation but with some imaginative process in the more developed (see also *DA III* 11, 434a1-12). Thus, the syllogistic analogy encompasses all human and animal actions: “And things which desire to act, at one time create something, and at another act, by reason of either appetite (*epithumia*) or of passion (*thumos*), or else through desire (*orexis*) or wish (*boulēsis*)” (*DM VII*, 701a25-701b1).

The vehicle for both *orexis* and *nous* in practical thinking is the imagination, and it plays a crucial element in calculation and deliberation. Returning to the *De Anima*, Aristotle makes a wide claim when he says:

sometimes by means of the images or thoughts in the soul, just as if it were seeing, it calculates (*logizetai*) and plans (*bouleuetai*) for the future in view of the present; and when it makes a statement, as in sensation it asserts that an object

is pleasant or unpleasant, in this case it avoids or pursues;
and so generally in action (*en praxeî*) (DA III 7, 431b6-10).

The soul can be moved either by images or thoughts, *as if* it were seeing, and can calculate or deliberate (*bouleuetai*) about the future. While animals have images, they do not have thoughts or reason, and Aristotle claims that “in living creatures other than man there is neither thinking nor calculation (*ou noēsis oude logismos estin*) but only imagination” (DA III 10, 433a12-13). It seems safe to say, however, that although they do not have faculties depending on reason or the intellect, it is obvious that many animals can exhibit complex, purposive behaviors. Here, too, *praxis* or ‘action’ would also seem to have a wider signification, not necessarily restricted to virtuous action or even human action. Nevertheless, it appears clear that Aristotle is hinting at a phenomenological description of practical thought as an active process, a narrative of complex images made present in the mind directed to the future, with sensations functioning like statements or assertions. This is not an abstract mental calculus, with mental propositions or propositional attitudes as basic elements, but something as vivid as the images or sensations themselves, suggesting pursuit and avoidance, desire and fear.³⁰ Even

³⁰ It is important to note here that in my interpretation of Aristotle’s *phantasia* that I do not claim that its functions are limited to the generation of movement or an interaction with desire; it definitely has larger roles in the cognitive process which may be substantially different than its role in lower animals or in human action. Likewise, while I rely significantly on Martha Nussbaum’s interpretation, I do realize that it is not without its detractors. Her emphasis on interpretation and ‘seeing-as’ is definitely contemporary and contested. However, I do find that her exegesis allows us to see how we can understand animal movement as intentional, much like Alasdair MacIntyre does in his book *Dependent Rational Animals : Why human beings need the virtues*, (Chicago: Open Court, 1999), which we shall examine in the second half of the dissertation. As Alfredo Ferrarin notes in his very perceptive article, “Aristotle on *phantasia*” the different ways Aristotle describes *phantasia* in works beyond the *De Motu Animalium* are not systematic and, he admits, they may not ultimately be able to cohere in an account of one faculty. As Klaus Brinkmann observes in his commentary on Ferrarin’s article, Victor Caston’s claim that *phantasia* allows Aristotle to explain errors in judgment and cognition is quite persuasive. See Alfredo Ferrarin, “Aristotle on *phantasia*,” *Proceedings of the Boston Area Colloquium in Ancient Philosophy*, vol. 21, ed. John J. Cleary and Gary M. Gurtler (Leiden: Brill Academic Publishers, 2005), 89-112 for a comprehensive survey of *phantasia* which explains it as a “power of presentation and presentification of absence” as opposed to interpretation or a positive ‘seeing-as’; see also Klaus Brinkmann, “Commentary on Ferrarin” in the same

theoretical thought requires images (*DA* III 8, 432a11-14). This must be remembered in the case of practical reasoning about things we wish to do or avoid, since it seems to involve more substantial, concrete or vivid notions than theoretical thinking. It is also crucial to remember that purposive behavior can result from imagination and desire without the intellect, in animals, and against it in humans.

The ambiguity which surrounds Aristotle's discussion of imagination and its extension to non-human animals cannot be entirely removed; however, he appears to make a strong link between imagination and calculation in the case of human beings to the extent that calculation can go against reason. Appetite or *orexis* entails a capacity for self-movement, "but it is not capable of appetite without imagination, and all imagination involves either calculation (*logistikē*) or sensation" (*DA* III 10 433b28-30). Non-human animals definitely have sensation, and, as Aristotle has already hinted, some of them may be capable of a basic form of calculation: "Imagination in the form of sense is found, as we have said, in all animals, but deliberative imagination (*bouleutikē*) only in the calculative." It may be that only humans are calculative, but, unlike other passages already cited, Aristotle does not explicitly limit this capacity only to humans. He speaks quite broadly when he says, "whether one shall do this or that calls at once for calculation (*logismou*), and one must measure by a single standard, for one pursues the *greater* good. This implies the ability to combine several images into one" (*DA* III 11, 434a6-10).³¹

volume, 113-121. I do not wholly agree with Ferrarin's presentation, which seems too Heideggerian. See A. O. Rorty, "Structuring Rhetoric," *Essays on Aristotle's Rhetoric*, ed. M. C. Nussbaum and A. O. Rorty (Berkeley: University of California Press, 1996), 19, for a catalogue of the functions of *phantasia* and a brief counter argument that animals cannot see as or see hypothetically because they have no thought. See also Victor Caston, "Why Aristotle Needs Imagination," *Phronesis* 18 (1996): 156-75, for an argument about the cognitive role of *phantasia*.

³¹ I have omitted the phrase, "for to decide" from the beginning of the citation from Hett's translation of the *De Anima* because it is an interpolation. The passage reads: *poteron gar praxeī tode ē tode, logismou ēdē estin ergon*.

The imagination is intimately involved in human planning and calculation, and has a capacity to combine different images into an image of a goal or end. Furthermore, Aristotle says that imagination can be regarded as a kind of thinking (*noēsin tina*) because “men often follow their imaginations contrary to knowledge (*para tēn epistēmēn*)” (*DA* III 10, 433a10-12).

The conflict between reason and desire raises a puzzle about the exact source of movement. Aristotle first begins by examining movement in human beings. It seems that the mind or intellect (*nous*) cannot be the source of movement, even though it is often referred to as the calculative faculty (*to logistikon*), because considered in its highest form, the speculative intellect (*ho theōrētikos*), it “thinks of nothing practical, and tells us nothing about what is to be avoided or pursued; but movement is characteristic of one who is either avoiding or pursuing something” (*DA* III 9, 432b26-30). Even when the intellect contemplates (*theōrēi*), the act of contemplation does not of itself suggest either pursuit or avoidance; we can think of many frightful or pleasant things without feeling any fear or desire (*DA* III 9, 432b30-433a1). Moreover, we can act according to desire (*kata tēn epithumian*) against *nous*, as those who are incontinent do (*DA* III 9 433a1-3). At the same time, however, *orexis* or appetite cannot be the only source of action in human beings because the continent act against their desire (*epithumia*) and in accord with intellect (*tōi nōi*) (*DA* III 9, 433a6-9).

Aristotle’s solution to the conundrum posed by these considerations is to specify which *orexis* and which *nous* are involved in motion. He begins by identifying which kind of *nous* is involved with movement. While we might conclude that the speculative intellect must be involved in motion because calculation involves the intellect and the

intellect is preeminently involved in contemplation, we immediately run up against the obvious fact that contemplation or speculation does not necessitate action. Aristotle saves us from this contradiction by reminding us of the existence of the practical intellect (*praktikos nous*), which calculates for the sake of some end. This end is not knowledge but some good to be done or achieved. Every *orexis* is directed toward some end, and the end is the beginning of practical thinking, the last step of which “is the beginning of action (*to de eschaton archē tēs praxeōs*)” (DA III 10, 433a14-17). So, there is an order to the relationship between *orexis* and *nous*; *orexis* presents an object which produces movement mediated by *nous* (DA III 10, 433a17-20). *Nous* guarantees the correctness of the outcome in human practical thinking; this is distinct from animal thinking (animals lack *nous*) where both *orexis* and *phantasia* may be false or wrong. As a faculty in humans who possess *orexis*, *phantasia* and *nous*, *nous* is always right while *orexis* and *phantasia* are fallible. *Orexis* always begins movement towards a good, “but this may be either the real or apparent good.” Even allowing for the fallibility of *orexis* and *phantasia*, the practical good is still something changeable (DA III 10, 433a20-31).

The second step of Aristotle’s solution to the question of how *orexis* and *nous* cause motion involves specifying which types of *orexis* do and do not conflict with *nous* and this begins with the role of imagination. Imagination can also initiate movement, and this is the case in lower animals. Even so, it never initiates movement without first having some object presented by *orexis*. The moving cause (*to kinoun*) is *orexis*, which is, according to Aristotle, one (*hen*) entity. *Nous* produces movement not because it has some common form or characteristic (*kata koinon . . . eidos*) but because *orexis* has presented the object to *nous* (DA III 10, 433a20-23). This is even the case with wish or

boulēsis, which is closely linked with calculation and deliberation: “But, as things are, mind is never seen to produce movement without appetite, for will (*boulēsis*) is a form of appetite (*orexis*) and when movement accords with calculation (*logismon*) it accords also with will (*boulēsin*), but appetite (*orexis*) produces movement contrary to calculation, for desire (*epithumia*) is a form of appetite” (*DA* III 10, 433a23-26). As Aristotle says in the *Ethics*, wish is of the end which usually precedes action through the process of deliberation. Even though *boulēsis* is succeeded by deliberation and the activity of practical reason, it is fundamentally a species not of *nous* but of *orexis*. A *prohairesis* is a *boulēsis* modified by deliberation (*bouleusis*), which is why Aristotle calls it *bouleutikē orexis* or ‘deliberative desire’ (*NE* III 3, 1113a10-11). But there are three kinds of *orexis*, and the other two kinds can overcome calculation and *boulēsis*; these are *epithumia* and *thumos*.

The two types of incontinence (*akrasia*), “soft” (*astheneia*) and “rash” (*propeteia*) described by Aristotle in Book VII of the *Nicomachean Ethics*, correspond to these two species of *orexis* (see *NE* VII 7, 1150b20). The struggle between these *orexeis* also explains the characteristic regret and divided soul of the incontinent person: his actions are not in accord with what he wished to do, but he, nonetheless, desired to do them when he did them, under the influence of a particular kind of desire. Aristotle himself spells this out when he speaks of the opposition of the different desires:

Now appetites (*orexeis*) may conflict, and this happens wherever reason (*logos*) and desire (*epithumia*) are opposed, and this occurs in creatures which have a sense of time (for the mind advises us to resist with a view to the future, while desire only looks to the present; for what is momentarily pleasant seems to be absolutely good (*agathon haplōs*) and absolutely good because desire cannot look to the future). Thus while that which causes

movement is specifically one, viz., the faculty of appetite (*to orektikon*) *qua* appetitive or ultimately the object of appetite (for this though unmoved, causes movement by being thought or imagined), the things which cause movement are numerically many (DA III 10 433b5-12).

Aristotle is again somewhat ambiguous about whether there are other animals that experience this conflict. At least in man, the conflict between *epithumia* and *boulēsis* is a conflict between a desire chained to the present and one which is free to look forward into the future.³² Thus, an incontinent always does what he ‘desires’ to do, and yet he frequently has cause to regret his actions, because his desires are not all of one kind. Although every desire is from the appetitive power (*to orektikon*), this power has very distinct moments or realizations, and Aristotle describes at least three. We must be careful here to see the difference between what Aristotle is saying and subsequent accounts of the will. While *orexis* is one faculty, its three distinct species are all capable of generating action. When Aristotle describes the relationship between *boulēsis* and *epithumia*, he is not describing the relationship between will and inclination or the spirit and the flesh. The difference between *boulēsis* and *epithumia* is not metaphysical; the former is not noumenal or spiritual while the other is material. Whereas in theories of action involving a faculty of the will, the will is always the agent within the mind or soul, Aristotle is less committed to *boulēsis* always being the moving *orexis*; sometimes it is overcome, sometimes it is moved or influenced, in the same manner as one heavenly sphere moves another (although Aristotle is quick to point out that the heavenly spheres

³² The conflict between *epithumia* and *boulēsis* is primarily temporal: *epithumia*:present::*boulēsis*:future. In the *Nicomachean* and the *Eudemian Ethics*, *boulēsis* also takes on the distinction of being concerned with general ends, to distinguish it from *prohairesis*. As we shall see, the continent struggle with the conflict between two equally present and particular desires, usually *epithumia* and *prohairesis* (though sometimes *thumos* and *prohairesis*). In the incontinent, the result is that *boulēsis* is also overcome and his larger goals and projects remain unfulfilled.

are only moved higher to lower, which is not necessarily the case with *orexeis*) (DA III 11, 434a13-15). There are, therefore, three modes of movement (*treis phoras . . . kineisthai*), one initiated by *boulēsis*, one where *boulēsis* overcome and a different species of *orexis* moves us, and one where *boulēsis* is moved or altered but not completely disabled or overcome (DA III 11, 434a12-16).³³

To conclude our initial investigation of the *De Motu Animalium* and *De Anima*, we have found that Aristotle's account of animal motion, which includes human action, locates the source of animal motion in desire or *orexis* and the interaction of desire with sensation, imagination (*phantasia*), and in the case of human beings, calculation. *Orexis* comes in three species: *epithumia*, *thumos*, and *boulēsis*. All three species are capable of initiating movement in conjunction with imagination or calculation; however, only *boulēsis* is oriented toward objects beyond present satisfaction, only *boulēsis* shares in

³³ This section of the *De Anima* is quite terse and difficult. The immediate passage, DA III, 11, 434a12-16, begins with the explicit claim that there are *three* ways *orexis* can initiate movement, and it subsequently reads, according to W.S. Hett: "Sometimes it [*orexis*, referred to in the prior sentence] overcomes the will and sways it, as one sphere moves another; or appetite influences appetite, when the subject lacks self-control." The Greek reads: *nika d'eniote kai kinei tēn boulēsin hote d'ekeinē tautēn, hōsper sphaira, hē orexis tēn orexin, hotan akrasia genētai*. The construction of the sentence seems to lend itself to only two modes of movement, as *nika* and *kinei* are linked by the conjunction *kai* and are in the same clause, whereas a separate clause gives the motion of *orexis* on *orexis*. If we separate *nika* and *kinei*, making them the first and second mode of movement respectively, we have a difficulty differentiating the first two modes. It would seem that the overcoming of *boulēsis* is itself instantiated by the movement or swaying of *boulēsis* by a contrary *orexis* and is not distinct from that movement. This is in fact how St. Thomas Aquinas seems to read the passage. In his *Commentary on Aristotle's De Anima*, trans. Robert Pasnau (New Haven: Yale University Press, 1999) III, Lect. 16, sec. 843, he does not enumerate three distinct modes, rather he contrasts only two different kinds of movement: 1) the overcoming of the superior appetite (*voluntas/boulēsis*) by the inferior appetites, and 2) the converse of the first motion, namely, the superior appetite governing the inferior appetites, illustrated by the continent man. Our interpretation here makes an effort to remain faithful to Aristotle's precise enumeration of three ways. In order to do this, we make the assumption that the first of the three modes is implied and not stated, namely, that action can be initiated by *boulēsis*, for instance, in the case of long-term or rational planning. This assumption allows for the sentence to divide naturally into two more options for a total of three. We also assume that the third mode is a movement of *epithumia* or *thumos* on *boulēsis* in a manner which is not necessarily incontinent or vicious. For instance, as Aristotle illustrates in the *De Motu Animalium*, we may begin practical thought from a non-rational desire, such as thirst; however, being thirsty, it is quite possible to deliberate effectively about what to drink. Likewise, we may become angry, and rightfully so, and still deliberate about how to deal with the cause of our anger. Aristotle does not subsequently clarify the meaning of this sentence, so the difficulties surrounding it cannot be resolved.

reason, and only *boulēsis* is characteristically human. While *boulēsis* is characteristically human, it is important to see that the other forms of *orexis* are still present and still capable of moving human beings to act.

In order to fully understand Aristotle's account of *orexis* and action in the psychological as well as the ethical works, we will now look to the work of Martha Nussbaum to provide a new interpretive paradigm for understanding the relationship between *orexis* and *phantasia*. While we have provided a sketch of the relationship between Aristotle's concepts, we have not given a thorough-going account of their meaning, especially their meaning in relation to contemporary accounts of intention and action. In the next section, looking to Nussbaum, we will link *orexis* and *phantasia* to intending and intentional action, and this will provide the basis for our exegesis of the account of the voluntary in the ethical works, as well as an understanding of *prohairesis*.

I.3.2: *Phantasia*, *Orexis*, and Intending: Nussbaum on *Phantasia* in the *De Motu Animalium* and *De Anima*

As we have just seen, despite the conspicuous absence of *prohairesis*, save for a handful of brief references, the *De Anima* and the *De Motu Animalium* have a lot to say about human action, but the implications of both works for Aristotle's ethical theory and its relevance for contemporary ethical theory are not immediately obvious. In two works, *Aristotle's De Motu Animalium* and *The Fragility of Goodness*, Martha Nussbaum attempts to draw out the ethical implications of these works, mainly focusing on the *De Motu Animalium*.³⁴ In particular, Nussbaum offers a reinterpretation of Aristotle's concept of *orexis* as well as a new attempt to understand the role of *phantasia* in action and practical thinking. For Nussbaum, *orexis* has been misunderstood for some time as being a somatic, brute and passive 'desire', while *phantasia* has been rendered as a power of reproductive representation, which reproduces items sensed as mental pictures. Nussbaum rejects both accounts and instead argues that *orexis* should be considered as a power of intending and *phantasia* as an interpretive faculty, which does not reproduce a "dense" picture of reality so much as represent objects under some aspect, *as* something. Both of these views have implications for understanding Aristotle's concept of voluntary action (*to hekousion*), since *orexis* is present in animals as well as humans and it also has implications for his accounts of non-deliberate action and *akrasia*, since both involve sensation, imagination, and desires other than *boulēsis* and its product, *prohairesis*.³⁵

³⁴ Nussbaum regards the *De Motu* as a more authoritative guide to the sources of motion than the *De Anima*. See Nussbaum, *Fragility*, 276.

³⁵ My agreement with Nussbaum is, ultimately, only partial. I agree with the basic interpretation of *orexis* as intention and *phantasia* as a more complex faculty which allows objects to be seen as something;

The main insight of Aristotle's work in the *De Anima* and the *De Motu Animalium*, according to Nussbaum in *The Fragility of Goodness*, is to see what is common between humans and animals. The account of motion in both of these works is meant to apply to all ensouled beings capable of movement.³⁶ Nussbaum offers four elements shared by animal movement and human action in Aristotle's account: 1) both are explained by the ascription of "desires and beliefs or perceptions" to the human or animal in question; 2) "The factors cited in the explanation are intentional: (a) the desires and beliefs (perceptions) are directed towards a goal, and (b) the explanation characterizes the goal as it is seen from the animal's point of view"; 3) these same factors have both a logical and causal connection with the goal of the action or movement; 4) in each case, Aristotle offers a "physiological explanation" only to explain the 'how' of the action and not the 'why' or purpose for which the action or motion was initiated.³⁷ In the first place, when we explain human or animal motion, we almost always say that he/she/it wanted something, and the attainment or acquisition of that object caused the human or animal to move from one place to another. Second, the ascription of desire or belief is causal only to the extent that the human or animal possesses it, and sees the object to

however, I do not agree with her larger project with respect to Aristotle, developed fully in *The Fragility of Goodness*, but nascent in *Aristotle's De Motu Animalium*. While *phantasia* is interpretive, I do not agree with her generalizations from this fact to the conclusion that reality is essentially perspectival and relative to our particular linguistic community, nor do I think this is the basis for Aristotle's philosophical method. See Wians, "Saving Aristotle from Nussbaum's *Phainomena*," in J.P. Anton and A. Preus (eds.) *Essays in Ancient Greek Philosophy V: Aristotle's Ontology* (Albany: 1992), 133-149. I wholeheartedly agree with William Wians' criticisms of Nussbaum's rendering of 'setting down the appearances' as being inaccurately rendered in Wittgensteinian terms as a self-consciously culturally relative linguistic phenomena. I do not think her analyses of *orexis* and *phantasia* must necessarily lead one to accept her larger project.

³⁶ Nussbaum, *Fragility*, 264-65. I begin with the later of the two works by Nussbaum, *The Fragility of Goodness*, because of the priority of *orexis* in Aristotle's account of action. The changes in Nussbaum's view of Aristotle's account of *orexis* and *phantasia*, especially as they appear in the *De Motu Animalium*, do not affect my argument; in fact, they strengthen it, as Nussbaum came to see the account as being both explanatory and descriptive, rather than merely descriptive, as she had held in her earlier work. See Nussbaum, *Fragility*, 277-280.

³⁷ *Ibid.*, 267-68

which they move as the object desired. Third, the beliefs and desires have a logical connection “because we cannot give an account of what the desire (belief) is without mentioning the goal on which it is focused,” and they are causal because we believe that they are in fact the cause of the motion. Finally, the body of the human or animal does not provide the purpose but rather the means or mechanism for the attainment of the purpose.³⁸

Aristotle’s predecessors had been divided on the causes of action and motion. Materialists like Democritus, according to Nussbaum, offered a causal account which did not include desires or beliefs, and reduced the psychological to the physiological. The consequence of this is that they would have to be “prepared to do away altogether with the more common explanatory framework,” that is, they would do away with choice (*prohairesis*) and thinking, as Aristotle objected in the *De Anima* 406b24-25.³⁹ In opposition to the materialists, Plato offers a choice between physiology and “explanation by reason or intellect”; he rejects the former, but he seems to leave us only the latter and three significant problems. First, we would have to radically distinguish humans from all other animals, which seems to make our own embodied animality an intractable problem. Second, we would have to make a firm and seemingly artificial distinction between “those human actions that are motivated by intellect or rational choice, and all other human actions.” Finally, would lose the ability to distinguish the movements of animals which we usually attribute to desires and beliefs from somatic processes, “such as the movements of the digestive system and reflex responses.”⁴⁰ For Nussbaum, this leads the

³⁸ *Ibid.*

³⁹ *Ibid.*, 269-71.

⁴⁰ *Ibid.*, 272.

Platonist to reject our animality and to reorder moral training in the style of the *Republic*.⁴¹

Aristotle's concept of *orexis* is an attempt to mediate between the demands that we see human beings as part of the natural, animal world and still retain the priority of purpose and intention in explanations of action. According to Nussbaum, the term *orexis* has received relatively little attention in comparison to the etymological literature on other of Aristotle's terms, and therefore, people have missed "the extent to which this word is an item of [Aristotle's] own creation." Prior to Aristotle, *orexis* appears in only one place, "the dubious ethical fragments of Democritus." It does not appear at all in the canonical Platonic works. What *orexis* supplies for Aristotle is a generic word for 'wanting' that is not already linked to bodily appetites or intellectual reasoning, e.g., *epithumia* and *boulēsis*.⁴² The verb *oregō* is common and goes back to the earliest Greek writings and "from Homer onwards, seems to mean 'stretch out', 'reach out'; it is transitive, and the context is usually one of extending one's hand to somebody or handing an object to somebody." In the middle voice, it has very much the same meaning and use, but also appears in various instances having the sense of 'aim at' or 'hit at'. In Euripides and Thucydides, Nussbaum notes, it acquires a psychological connotation, and is used to express yearning or longing. In Aristotle's case, Nussbaum argues, "there is no reason why we could not also continue to translate it in the original way and think of it as a metaphorical transferal from the external to the internal realm."⁴³ The verb "strongly implies directedness towards an object (the verb only occurs with some sort of object)" and "It is active more than passive: it is a going for, a reaching after (whether bodily or

⁴¹ *Ibid.*, 273.

⁴² *Ibid.*, 273-74.

⁴³ *Ibid.*, 274.

psychic), as opposed to a being-overwhelmed, or an empty being-in-need.”⁴⁴ Translating *oregō* and *orexis* poses a definite problem because one needs to capture the directedness and the activity suggested by the word. In English, ‘inclination’ seems like a good choice, but it is still too passive; ‘need’ and ‘want’ suggest an empty gap or lack. The most commonly chosen translation, ‘desire’ is closer to the meaning of the Greek, it is “clearly object-linked” but it is “overused” and “weak”, which Aristotle’s term is not.⁴⁵ Be that as it may, for Nussbaum, once we “recover a sense of the philosophical newness and strangeness of this word,” we can see why it is that Aristotle groups the seemingly disparate psychic forces of *boulēsis*, *epithumia* and *thumos*: “He is saying, apparently, that they are all forms of object-directed, active inner reaching-out; and that this sort of reaching-out is common to the movements of both human and other animals.”⁴⁶

The ‘reaching-out’ that characterizes *orexis* does not depend entirely on a particular antecedent object nor does it depend on the “attainment” or “realization” of that object. In this way, *orexis* is distinct from the external, material causes in the world. We may possess an *orexis* for something and then seek it out, and we also possess an *orexis* for something we may not be able to get. In order for *orexis* to cause movement it has to “be combined in the right way with perception”; likewise, the cognitive faculties must come up with a possible and available route to the goal, or else motion will not follow.” Moreover, the *orexis* that causes movement must be an ‘authoritative’ (*kurios*) one, and not simply one we possess passively. Even so, desire might be frustrated by

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*, 275. A candidate for the translation of *orexis* which Nussbaum does not consider is ‘appetite’, which is often the preferred translation of the Latin *appetitus*, which is used in Scholastic texts to translate *orexis*. Looking up ‘appetite’ in the *Oxford English Dictionary* online – accessed through the Boston College Library – we find a number of different senses of the term in English usage. Prior to the nineteenth century, the word’s usage is much closer to the sense we are seeking; however, more recently, it has come to be used to denote “craving” or “inclination” rather than purposiveness or intention.

⁴⁶ *Ibid.*

some external impediment.⁴⁷ Ultimately, however, it is only because *orexis* has a connection to an object that it is capable of being a cause of motion: “It is because what this *orexis* is, is an *orexis* for object O, and because what the creature sees before it is this same O, that the movement towards O can be caused in the way it is by the *orexis* and the seeing.” Nussbaum gives the example of a dog who must see something ‘*as meat*’ in order to go after it. It is only when an object is intended as an object of pursuit under some species of *orexis* that motion will ensue. Thus, when Aristotle refers elsewhere to the premises of the practical syllogism as being “productive of action”, it is because “he insists that objects of desire cause motion precisely by being seen as the sort of thing that is desired”, and the ‘premises’ “mention the goal both as desired and available”, or as Aristotle literally says, “good” and “possible.”⁴⁸

The treatment of *orexis* in the *De Anima* and the *De Motu Animalium* has great significance for the *Nicomachean Ethics*: they offer an account of *hekousios* or ‘voluntary’ movement.⁴⁹ Once we have understood the role of *orexis* in the production of movement in humans and animals, the extension of the term *hekousios* or ‘voluntary’ to the movements of animals and children no longer seems mysterious: “The *hekousioi* motions of animals are just those movements which are caused by their own *orexis* and cognitive activities, their own reachings-out towards objects and their own views of those objects.” Thus, Nussbaum argues, the ascription of this type of agency is “entirely consistent.” Even though children and animals lack deliberation and higher cognitive capacities, “they do have in common with human adults that their own view of the world

⁴⁷ *Ibid.*, 279.

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*, 282.

and their own *orexeis*, rather than physical necessity, are the causes of their actions.”⁵⁰ Thus, the *De Motu Animalium* establishes, with greater precision and detail than the *Nicomachean Ethics*, the idea that an agent is a cause (*aition*) of action by being its “origin” (*archē*) because it enumerates the potential origins for all movement within an agent.⁵¹

The active role *orexis* plays in human and animal motion goes hand in hand with a more active notion of *phantasia* or imagination, which Nussbaum had proposed in one of her earliest works, *Aristotle’s De Motu Animalium*. The most common view of the product of *phantasia* is “that *phantasmata* in Aristotle are always mental images that resemble the things they represent and are to be contemplated as internal pictures by the living being.”⁵² This “pictorial image” is taken to be the counterpart of every thought and perception.⁵³ This view of *phantasia* involves two main claims: 1) “Imagination in all cases involves images that represent in virtue of some similarity”; and 2) imagination involves two moments or “processes”: a) “having an image” which is either “produced” or “impressed” and b) contemplating or inspecting the image.⁵⁴ The quality of the image and the process of its formation are generally taken to be passive, almost photographic processes which do not contain any active elements of selection or discernment. The process of discernment or interpretation seems to arrive after the image has been composed, when we view it with the mind’s eye. For Nussbaum, this implies that we can get more information from mental images or *phantasmata* than was put there in their

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² Nussbaum, *Aristotle’s ‘De Motu Animalium’*, 222.

⁵³ *Ibid.*, 223.

⁵⁴ *Ibid.*, 224.

production; the contemplation is necessary as a second step to unpack and interpret the images.⁵⁵

To these assumptions, Nussbaum objects that: 1) “Representation and resemblance are logically and in all ways distinct”; and 2) “The image-theory is defective . . . both because it wrongly assimilates all imagining to seeing pictures and because it does not even provide an adequate account of pictorial representation.”⁵⁶ First, there are obvious disjunctions between resemblance and representation, of which Nussbaum gives two examples: a reflection in a mirror and the Christian fish symbol. A person’s reflection obviously resembles the person reflected in the mirror but it does not obviously represent that same person. Likewise, the fish symbol used in Christian iconography in no way resembles Christ, but it does represent him. While resemblance requires some empirical similarity between the two things related, “Representation is a type of reference or denotation,” that is, a symbol or object can be used to point to something which it in no way resembles without any loss of meaning.⁵⁷ The standard interpretation of imagination assumes, moreover, “that there is one way of seeing (and painting) the object as it is – an “innocent” view, for fidelity to which all copies or images are to be assessed.” This seems to entail that, with respect to the imagination, a mental picture “represents to the extent that it embodies this real, or pure, view,” thus, imaginings can be epistemologically sorted by the accuracy of their approximation of the one real or true view.⁵⁸

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*, 225; 230.

⁵⁷ *Ibid.*, 225-26.

⁵⁸ *Ibid.*, 226. It seems that Aristotle would probably agree with the proposition Nussbaum here implicitly rejects, that imaginings can be ranked and sorted by their epistemological accuracy. Plato, for example, seems to suggest just this sort of thing with his analogy of the painter in the soul in the *Philebus* 38b-39d, trans. Dorothea Frede (Indianapolis: Hackett, 1993), where the painter is analogous to the imagination’s

The idea that there is one real or true image of an object assumes that there is also an unproblematic way for this image to be seen and copied; however, “We can never copy an object in all the ways it is; we are always representing it *as* something.”⁵⁹ The “copy view of pictorial representation” and the “image view of imagination,” as Nussbaum calls them, rely “on an oddly passive picture of what it is to see.” Moreover, they cannot accommodate the place that non-visual sensations, like smell and taste, have in our ordinary imaginings and dreams or in Aristotle’s psychology.⁶⁰ The content of the mental image is problematic not only because it seems possible that it contains non-visual images, but also because it seems that a mental image must be “informationally dense,” like a picture to which we can return again and again for a new view. If that is the case, a mental image “can never be exhaustively described” and it is simply “*there*” such that “without adding anything more to it I can always get more out.” As we have seen, there is no necessary connection between resemblance and representation, such that there are definitely some pictures which are not ‘dense’.⁶¹ In the case of mental ‘picturing’, “there is not always anything that corresponds to stepping back and looking at the picture, hence not always the possibility of getting further information.”⁶² Imagining is not always or usually accompanied by detached contemplation of the imagining as an imagining or detached from what is being imagined. A mental image may still have “unintended” or

role in the cognitive process of judgment: the painter’s paintings can be more or less accurate and can either facilitate or impede right judgment. The context of the argument in the *Philebus* is especially fitting, since Plato is examining judgments about true and false pleasures. Likewise, Aristotle states that the imaginations of the virtuous are qualitatively different from those of the non-virtuous in the *Eudemian Ethics* II 1, 1219b24-25. However, for Aristotle, any image, being sensible, would still fall short of the knowledge of the form or essence, which is immaterial and intellectual. Imaginings may, however, be more or less adequate for particular modes of thinking, especially in practical thought which is non-demonstrative.

⁵⁹ *Ibid.*, 227.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*, 228.

⁶² *Ibid.*, 229.

“passive elements”, and there are obvious cases of imaginative contemplation. However, the usual account of imagination assumes that in assembling the mental image, all that is being done is a passive copying, and it confuses this with the act of “interpretation” which is involved in the assembly of mental images. However, as Nussbaum argues, any picture or image is, essentially, a ‘seeing as’ or ‘seeing an aspect’.⁶³ A painter orders his composition to show action, emotion, character, light, or any number of things. Though he may have a subject sitting before him, there is no one picture of that subject which exists prior to the painter’s decision to depict it in a certain way, for a certain purpose. Likewise, the imagination differs from sense precisely in the way that it does not merely reproduce what was received, but produces an image with a new element – imaginings involve the intentions of the imaginer.⁶⁴ In Aristotle, imagination is often spoken of passively as picturing or seeing, yet at the same time, imagination is spurred by *nous* and *orexis*, both active capacities not wholly bound to sensation. *Orexis* always tinges the *phantasmata* with a particular directedness, either pursuit or avoidance. This suggests that Aristotle’s account goes beyond the simple ‘copy/image’ view.⁶⁵

In Aristotle’s account of movement in the *De Motu Animalium*, *phantasia* endows an object with ‘formal content’ because it is “through *phantasia* that a perceptible object is seen as an object under a certain formal description.” It is only through the activity of the imagination that a particular thing becomes an object of pursuit or avoidance.⁶⁶ For Aristotle, whether the mind is directed toward theoretical or practical purposes, there is no purely and simply abstract thought, “I cannot think of a pure proposition.” As we

⁶³ *Ibid.*, 229-30.

⁶⁴ *Ibid.*, 230.

⁶⁵ *Ibid.*, 264-65.

⁶⁶ *Ibid.*, 265.

have already seen, every thought is accompanied by some imagining, which “provides a concrete vehicle for the thought.”⁶⁷ For Aristotle, this is simply an empirical claim and not a transcendental one, since the unmoved mover thinks without imagination.⁶⁸ According to Nussbaum, the Aristotelian account of imagination, therefore, realizes that there is a necessary connection between ‘reception’ and ‘interpretation’. That is to say, any animal’s perception of any thing as a “distinct feature of his environment” must also refer to “the activity in virtue of which the scene appears a certain way to him,” which is *phantasia*.⁶⁹ Motion is initiated, Aristotle says, by *orexis*, but it must have an external object, something marked off or selected, and this is, according to Nussbaum, what it is “to see it” – to see it *as* something. Perception or awareness, as opposed to mere sensation, like thought, requires and presupposes *phantasia*, which necessarily involves an ‘interpretative’, or, we might say, an intentional element.⁷⁰

The active quality of *phantasia* which Nussbaum’s analysis brings out has important implications for the ‘practical syllogism’, which is discussed most extensively in the *De Motu Animalium*. The practical syllogism, according to Nussbaum, “is a schema for the teleological explanation of animal activity, designed to show us perspicuously what factors we must mention, what states we must ascribe to the animal, in order to give an adequate explanation of action.”⁷¹ The account is not limited to human beings or to the explicit verbalization of premises in propositional form; for Aristotle, an agent might conduct his practical thinking verbally, even expressing his

⁶⁷ *Ibid.*, 266.

⁶⁸ *Ibid.*, 267.

⁶⁹ *Ibid.*, 268.

⁷⁰ *Ibid.*, 269.

⁷¹ *Ibid.*, 174. I take it that what Nussbaum here calls a “schema for the teleological explanation of animal activity” can be understood as an explanation by way of analogy. Since, as she is at pains to point out, the practical syllogism is used to help explain the movement of brutes, it cannot literally be a syllogism, which requires language.

conclusion or resolution, but “this will not in any important respect alter our account of his behavior.” The syllogism proper, and the theory which Aristotle elaborates in the *Analytics*, is “essentially linguistic” but language is “of minor importance” to the account of the practical syllogism.⁷² What is expressed by the practical syllogism is the agent “setting himself” to do the action”, taking the steps to realize the goal presented by *orexis* and *phantasia*. The movement towards the goal, the action, is what is crucial about the conclusion of this kind of thinking, and not a propositional conclusion. This is so even in cases, such as Aristotle’s example of cloak-making, where further deliberative steps are required.⁷³ One view of the structure of the syllogism, expressed notably by D.J. Allan, is that the syllogism’s structure is that of a rule in the major premise with a case in the minor premise. This has an unmistakably deontological ring to it; however, given the extension of the practical syllogism to cover animal action, it is unlikely that this is the case.⁷⁴ While Aristotle does speak of habits and rules of thumb or maxims in various places, he does not commit himself to such a rigid kind of reasoning. What is important, according to Nussbaum, is not the mention of a rule, but mention of some desire in the major premise.⁷⁵ The practical syllogism explains motion generally in the case of animals, but it also, in the case of humans, serves to provide a justification of action, not, however, on the basis of rules, but on the basis of the connection between the end and the things chosen to realize the end.⁷⁶

⁷² *Ibid.*, 186.

⁷³ *Ibid.*, 194-95.

⁷⁴ See D.J. Allan, “Aristotle’s Account of the Origin of Moral Principles.” *Actes du XIe Congrès Internationale de Philosophie* 12 (1953): 120-27

⁷⁵ Nussbaum, *Aristotle’s ‘De Motu Animalium’*, 201.

⁷⁶ *Ibid.*, 207.

Aristotle has no difficulty accounting for both human and animal motion with the practical syllogism because of the powers of *orexis* and *phantasia*. As Nussbaum argues, “Other animals, too, employ the structures revealed in the [*De Motu Animalium*’s] account of the syllogism”; however, only humans have “the *phantasian ek sullogismou* ([the imagination] ‘from inference’).” The *orexis* and *phantasia* that move animals do not come from deliberation nor do they generate deliberation: “the animal is ruled now by one desire (as the result of a particular activity of *phantasia*), now by another.”⁷⁷ We must qualify this by admitting that it is also possible for *orexis* to initiate *phantasia*, as Aristotle has said of *epithumia*. In any case, reason, as it is applied to ends (i.e., practical reason) allows humans to have an overall plan, coherent, forward-looking desires.⁷⁸ This forward-looking desire involved in deliberation is *boulēsis*, which Aristotle describes as both oriented towards the future and as part of the rational soul. It is possible for humans to imaginatively unify the future desired end with the present situation, to consider consequences, and to break their options down to discrete considerations, ‘this or that’, which ultimately leads to *prohairesis*.⁷⁹ Likewise, as Nussbaum has already pointed out, it is possible for animals to unify a desire with a concrete, present object imaginatively, to see this or that thing as predatory or prey, etc. The application of the practical syllogism to animals also points to the fact that *orexeis* other than *boulēsis* are capable of being described as initiating motion and thought with this syllogistic analogy. We will return to this possibility in our account of *akrasia* below.

Before moving on, we must add a few caveats, both to Aristotle’s account of imagination and to Nussbaum’s treatment of it. While it is clear that *phantasia* plays a

⁷⁷ *Ibid.*, 264.

⁷⁸ *Ibid.*, 263.

⁷⁹ *Ibid.*, 263-64.

definite role in action and movement by relating *orexis* to an external object, it is not entirely clear how exclusive this role is. As Nussbaum notes, *phantasia* is described by Aristotle in the *De Motu Animalium* as a judging (*kritikē*) faculty, which can act autonomously, with or without *orexis*. Likewise, Aristotle also says that *aisthēsis* and *phantasia* hold the same place in thinking directed toward movement as *noēsis* does in a theoretical demonstration (see *DM*, VII, 701a29-32; see also VI, 700b19-21). It seems possible to say that “the combinations desire+sense perception and desire+thinking would be sufficient to ‘move’ the animal, without any involvement of *phantasia*.”⁸⁰ At the same time, however, at *De Motu* VIII, 702a18, Aristotle says that *phantasia* is involved with every action and prepares *orexis*, even in the absence of *aisthēsis*.⁸¹ Nussbaum concedes that Aristotle may simply be careless in keeping track of the various powers of the soul, but “it might also be that *aisthēsis* alone is insufficient to present the object of pursuit or avoidance to the animal in such a way that desire becomes active and action follows.” She notes that *aisthēsis* is not included in the first list of the movers of animals in the *De Motu Animalium* (at VI, 700b18), although it is listed as a power of thought which follows that list.⁸² We may agree with Nussbaum that the causal role is slightly ambiguous; however, Aristotle says that *aisthēsis* entails *phantasia*, such that he may have also substituted the one for the other.

The relationship between *phantasia* and *aisthēsis* is not the only difficulty with Aristotle’s account in the *De Motu Animalium*. It is not clear that one can successfully unite all of the functions which Aristotle ascribes to *phantasia* in the *De Motu* as well as the *De Anima* in just one faculty. Nussbaum’s account is generally oriented toward

⁸⁰ *Ibid.*, 235.

⁸¹ *Ibid.*, 233.

⁸² *Ibid.*, 233, footnote 25.

action and motion, and thus she identifies the essence of *phantasia* in connection with them. In particular, she identifies two types of *phantasia* connected with *orexis*: “the type connected with thinking (the *logistikē*) and the type connected with *aisthēsis*.”⁸³ Nussbaum argues that it is a single faculty with two capacities. Further, she argues that it might be that *aisthēsis* and *phantasia* are one and the same power.⁸⁴ The larger literature on *phantasia* raises difficulties that go beyond the scope of this section, especially about the role of *phantasia* in cognition.⁸⁵ Nussbaum’s focus on animal motion and action does not attempt to account for all the sundry appearances of the term, especially as *phantasia* is involved cognitively with knowledge and error. It may quite possibly be the case that what Aristotle takes to be one faculty is actually several different faculties. In any case, the power that Aristotle calls *phantasia*, as it is involved with motion and action, shows itself to have an active role in the processing of sensation and the presentation of objects as desired, both in animals and in humans.

In conclusion, we have seen how Aristotle’s account of *orexis* and *phantasia*, as well as the other faculties of the soul, provides the basis for his wide ascription of voluntary and intentional behavior to adult humans, children, and many animals. We have also seen how the intentional functions of *orexis* combined with the representative powers of *phantasia* can generate purposive action which is not wholly rational or deliberate. These insights will allow us to account for the various types of action and intention Aristotle describes in the *Eudemian* and *Nicomachean Ethics*. We will show how Aristotle uses *boulēsis* through deliberation resulting in *prohairesis* to account for

⁸³ *Ibid.*, 236; Nussbaum’s translation of *DA* 433b26-30

⁸⁴ *Ibid.*, 236.

⁸⁵ See footnote 29 above.

rational, deliberate actions and intentions, but also gives an account of other sorts of actions and intentions in his description and explanation of *akrasia*.

I.4 The Ethical works

I.4.1: The Aristotelian Account of the Voluntary:

Aristotle's discussion of the voluntary (*to hekousion*) has been a frequent topic of commentary and debate because of three claims that he makes: 1) that actions receive praise and blame insofar as they are voluntary; 2) that animals and children move and act voluntarily; 3) that not every action which is voluntary is by choice (*prohairesis*). The first claim is, generally speaking, common to every account of human action and moral evaluation. The second and third claims, however, raise a number of puzzles. How can animals act voluntarily without a will or a mind? How can children be morally accountable for their actions? How can something be voluntary, if it is not also chosen? The main interpretative strategy which most have taken is to suggest that Aristotle is not speaking strictly when he attributes voluntary action to children and animals. Some then argue that for adults every action is chosen; others argue that although not every act is chosen, praise or blame attach only to those agents capable of choice. As I will argue, the main strategy adopted by many is contrary to the text of the *Ethics* as well as Aristotle's psychological theory developed in the *De Anima* and *De Motu Animalium*. Aristotle neither equivocally nor analogically attributes voluntary motion to children or animals because he clearly specifies the same motive principles present in all animal motion, which includes both immature and mature human beings. Likewise, the derivative theories, either that every act is chosen or that moral praise or blame attach only to agents capable of choice, also run up against a number of specific and clear claims that Aristotle

makes. Specifically, that there are morally blameworthy states of character, i.e., bestiality, vice, and incontinence, which were not initially chosen by the agents who possess them, and, furthermore, that agents who possess such characters either are incapable of exercising choice at all (the bestial) or in a particular way (the vicious and incontinent). The acquisition of these character types and the actions which follow from them are, nonetheless, voluntary for Aristotle. I will argue that the account Aristotle offers is perfectly coherent, provided that one correctly understands the capacities and roles of *orexis* and *phantasia* in action.

It is appropriate to begin with the most comprehensive and esteemed interpreter of Aristotle, St. Thomas Aquinas, who endorses the view that the attribution of ‘voluntary’ to children and animals is analogical and that all human actions exhibit choice. In his *Commentary on the Nicomachean Ethics*, Aquinas identifies the “one cause of all human actions” as “the will”, *voluntas* in Latin, which is used to translate *boulēsis*. Neither anger nor sensual desire can cause us to act without the consent of the will (*Comm. NE*, Lect. IV 428, p. 141).⁸⁶ Thus, Aquinas would seem to identify what in Greek would be *to hekousion* and *to boulētikon* – that is to say, the voluntary is that which arises from *boulēsis*. This move is intuitive in Latin and in the Latin translations Aquinas had of Aristotle, where *boulēsis* is translated as *voluntas* and *to hekousion* as *voluntarium*, but it is less obvious in the Greek text of Aristotle.⁸⁷ Aquinas identifies *voluntas* (*boulēsis*) and *electio* (*prohairesis*), which arises through deliberation, as being of the same faculty. Absolutely speaking, *voluntas* (*boulēsis*) is the act of the will as it regards the end, it is

⁸⁶ St. Thomas Aquinas, *Commentary on Aristotle’s Nicomachean Ethics*, trans. C.J. Litzinger, O.P. (Notre Dame, Ind.: Dumb Ox Books, 1993).

⁸⁷ See Bonnie Kent, *Virtues of the Will: The transformation of ethics in the late thirteenth century* (Washington: Catholic University Press, 1995), 172. I am indebted to Kent for this particular insight into Aquinas’ interpretation of Aristotle as well as Aquinas’ larger approach to action.

the intention of the end; *electio* (*prohairesis*) is the choice of the means (*Summa Theologiae*, I-II, Q. 12, a. 1; Q. 18, a. 9). All properly human acts proceed from wish or intention through some deliberative process, however truncated, to choice. Some acts that we perform are not through the activity of the will, and they are not properly human acts. These proceed from imagination, and include things we do absent-mindedly, like scratching one's beard. They are outside of the realm of moral evaluation because they do not proceed from the will (*De Malo*, Q. 2, a. 5, obj. 4; *ST*, I-II, Q. 18, a. 9). Animals can be said to act voluntarily, according to Aquinas, on the analogy of their internal principles of irrational appetite with the human internal principle of *voluntas*, which they lack. Their behavior is neither free nor the subject of praise or blame (*ST* I-II, Q. 6, a. 2, Obj. 2, Reply 2).⁸⁸

Aquinas' view of Aristotle's theory of action has either been adopted or echoed by many theorists of action, notably among them, Alan Donagan and Sarah Broadie. Donagan, who has also studied Aquinas, holds that Aristotle gives a causal explanation distinguishing adult actions from those of children and brutes. This distinction is explained by the fact that "according to Aristotle, behavior is accounted human action if

⁸⁸ Aquinas acknowledges that children and animals act voluntarily because "they operate of their own accord by their proper movement in such a way that they are not moved by any external thing," and so an agent need not "operate under the impulse of the will" to be capable of voluntary action (*Comm. NE* IV, 427, p. 141). This seems quite faithful to Aristotle. However, it seems that Aquinas makes a slight modification. Following this, interpreting the passage where Aristotle compares nonrational feelings to rational calculation, Aquinas argues that mistakes or sins which are the result of passion are blameworthy because "A man can, by means of this will, resist passion" (*Comm. NE* IV, 430, p. 141-42). Aristotle himself is less specific when it comes to the assessment of blame or responsibility. Someone is responsible to the extent that he was the cause of the act, i.e., that the act resulted primarily from his character and its characteristic appetites and aversions. He does not give *boulēsis* the definitive, executive role *vis à vis* the other kinds of *orexis*. Most importantly, for Aristotle, even when speaking only of adults, he never says that every action is voluntary because it is the result of *boulēsis*. See Bonnie Kent, *op. cit.*, and Vernon J. Bourke, *Will in Western Thought: A historico-critical survey* (New York: Sheed and Ward, 1964) and *St. Thomas and the Greek Moralists* (Milwaukee: Marquette University Press, 1948). I am indebted to both Kent and Bourke for their extended treatments on the development of Aristotle's ethics by the scholastics in general and Aquinas in particular. Both authors emphasize the incongruity between Aquinas and Aristotle on the nature of the voluntary and its relation to wish or *voluntas*.

and only if it is caused by an appetitive act which he called a ‘choice’.”⁸⁹ Broadie argues, without reference to Aquinas, that it is not clear how Aristotle could attribute voluntary action to children or animals except in an “analogical sense”, since they lack a mind or an autonomous will.⁹⁰ The fact that Aristotle uses the same syllogistic analogy to explain both human and animal action in the *De Anima* and *De Motu Animalium* does not mean, for Broadie, that he is referring to the active mental states or intentions of animals. Rather, Aristotle merely is marking out their “visible behavior” as being triggered by certain perceptions and instinctual desires as understood by external, human observers. Animal behavior lacks conscious mediation, and, furthermore, the syllogistic references in general are merely heuristic devices, which are neither fully descriptive nor explanatory.⁹¹

Terence Irwin, noted Aristotle scholar and translator, fundamentally agrees with these insights about animal behavior and the relationship between the causality of action and moral responsibility; however, he argues that Aristotle has an implicitly ‘complex’ theory of action, which has essentially two levels: 1) voluntary action as bare, causal responsibility, which includes animals and children; 2) voluntary action as moral responsibility, which applies only to mature adults capable of deliberation and choice.⁹²

Irwin finds a ‘simple’ theory of voluntary action offered in the initial formulations of the

⁸⁹ Alan Donagan, “Philosophical Progress and the Theory of Action,” *Presidential Address of the Western American Philosophical Association*, 55.1 (Sept. 1981), 28-29.

⁹⁰ Sarah Broadie, *Ethics with Aristotle* (New York: Oxford University Press, 1991), 125.

⁹¹ *Ibid.*, 231-232; 307.

⁹² Irwin: “Reason and Responsibility in Aristotle”, in A.O. Rorty, ed. *Essays on Aristotle’s Ethics* (Berkeley: University of California Press, 1980), 117-155. I borrow here from Nussbaum’s rendering of Irwin. Irwin himself presents his argument in terms of a series of revisions of definitions of the voluntary and a contrast primarily between notions of the voluntary in the *NE* and *EE*, to which he attributes the ‘simple’ theory of voluntary action, which I have initially called the first level of the ‘complex’ theory. Nussbaum’s rendering allows me to avoid a tedious dialectical digression and focus on the heart of the matter.

Eudemian and *Nicomachean Ethics*. In both works, one initial condition of the voluntary is that an action is ‘up to us’ (*eph’hēmin*) because the action has an origin with us, an internal principle (*EE* II 7, 1223a23-26; 1223b37-39; *NE* III 1, 1110a23-26, b3-7).⁹³ This is the main criterion for an action being voluntary; however, Irwin objects that plenty of somatic functions, sweating, digestion, etc., are voluntary, if only considered in view of their origin, yet not voluntary in the sense that we cannot control them nor are we praised or blamed for them.⁹⁴ In the *Nicomachean Ethics*, unlike the *Eudemian Ethics*, Aristotle does not mention the role of *orexis* in voluntary action. Irwin hypothesizes that this is because, “all and only the actions that count as voluntary by his criteria . . . are actions on desire”; yet, even if this is probably the case, Aristotle must still include the role of belief or cognizance to distinguish voluntary action from involuntary somatic activities or the actions of animals.⁹⁵ The ‘simple’ view that Irwin elaborates seems to allow the ascription of ‘voluntary’ to the actions of children and animals, because they result from desire, without being able to distinguish those actions from the actions of adults that receive “moral and legal sanctions”.⁹⁶

One solution to these problems with the definition of the voluntary might be to restrict Aristotle’s definition to mature human beings who are unequivocally the subjects of praise and blame; however, without some specific criterion to base this restriction on, Irwin argues, it would be completely arbitrary.⁹⁷ Irwin argues that Aristotle fails to explain the meaning of ‘up to us’ adequately and also why it should not apply with full moral force to animals and children. Aristotle ought to explain the phrase ‘up to us’

⁹³ Irwin, “Reason and Responsibility in Aristotle,” 120-21.

⁹⁴ *Ibid.*, 122.

⁹⁵ *Ibid.*, 123.

⁹⁶ *Ibid.*, 125.

⁹⁷ *Ibid.*, 125

better and why it does not apply to children and animals.⁹⁸ The key feature that separates the movements and actions of animals and children from those of mature, adult human beings is deliberation, which leads to an “effective” decision. Therefore, moral responsibility requires that an action be voluntary on the first, ‘simple’ theory but also that it involves deliberation and decision; this is, in essence, Irwin’s ‘complex’ theory. This allows a non-arbitrary restriction of the sphere of moral evaluation to the actions of adults.⁹⁹ Irwin distinguishes between responsibility in the wide sense, a simple causal attribution, which includes anything from an internal principle, and responsibility in a moral sense, on the basis of the capacity to deliberate and effectively act on deliberation through a decision. Desire, of whatever kind, does not compel a person to act; responsible agents “can also affect the strength of their desires by further deliberation,” whereas animals can only act on their strongest desire.¹⁰⁰

It is possible, however, that action can be both voluntary and subject to moral evaluation without deliberation or decision. Maturity is characterized by the capacity for deliberation and for “effective decision”, yet many mature agents act without either. Nevertheless, “the agent is fully responsible for it if he is capable of effective deliberation about it.”¹⁰¹ We are evaluated not just on those capacities we exercise but those that we possess and can exercise: “. . . we ought to have certain kinds of emotional and appetitive desires; someone can reasonably advise us to acquire them, and we can be praised or blamed for having or lacking them ([NE III 1] 1111a27-b3).” We are morally

⁹⁸ St. Thomas does explain this term better, Irwin asserts, because “He insists that voluntariness is necessary and sufficient for responsibility . . . and tries to define voluntariness to fit it. He finds that animals act voluntarily only in a reduced way.” For St. Thomas, the will is the source of properly voluntary action subject to moral evaluation. Irwin, “Reason and Responsibility in Aristotle,” 126.

⁹⁹ *Ibid.*, 129.

¹⁰⁰ *Ibid.*, 131; 129-130.

¹⁰¹ *Ibid.*, 133.

responsible for whatever we can effect by our deliberation, even if we in fact do not deliberate about them.¹⁰² Irwin admits that although this kind of account is the one Aristotle needs, “he does not set it out here.”¹⁰³

The further admitted difficulty for Irwin’s account is that moral evaluation is often applied to an agent who has failed to use his capacity to deliberate, that is, the capacity was *disused* rather than *misused*. One might fail to use this capacity because one is incapable of “deliberating effectively” about a particular thing or in light of a particular circumstance, e.g., the actions of the incontinent person. Irwin argues that even if an agent fails to deliberate, so long as it would be possible to persuade him if a “deliberative argument” were presented to him, either by himself or by another person, then he is morally responsible.¹⁰⁴ This involves one further assumption: “Aristotle must claim that most adults have not been so strongly conditioned that no deliberative argument will move them; he must argue that adults are still capable of effective deliberation about the sorts of people they should be.”¹⁰⁵ According to Irwin, character must be assumed to be malleable enough to allow the possibility for effective and morally correct deliberation about the agent’s own character in order for an agent to be held morally responsible. However, this view treats character as being primarily rather than derivatively voluntary; that is, character must be as flexible and as rationally corrigible as action. As we will argue in I.4.3.4 below, character is voluntary in a derivative sense because it arises from

¹⁰² *Ibid.*, 135.

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*, 137-38.

¹⁰⁵ *Ibid.*, 140.

actions that are voluntary.¹⁰⁶ Aristotle's first concern in his treatment of the voluntary is with responsibility for acts.

The interpretations of Aristotle's conception of the voluntary we have just examined all assume that there is a fundamental, even ontological difference between every human act and the motion of animals and children, who seem to have only animal capacities. This is not an assumption that Aristotle shares. As we have seen already with Nussbaum's analysis of *orexis* in the psychological works, "desire is not something altogether brutish: it involves selective focusing upon objects in the world and an equally selective set of responses to that focusing."¹⁰⁷ With this as our starting point, we will be able to see how Aristotle's accounts in the *Eudemian* and *Nicomachean Ethics* can consistently attribute voluntary action to animals and children, restrict action by choice to a subset of the voluntary, and still maintain the connection between voluntary action and responsibility. We will begin with the *Eudemian Ethics*; its account of voluntary action places a greater emphasis on the relation of the various kinds of *orexis* to action than the *Nicomachean Ethics*, where, as Irwin noted, a discussion of *orexis* is strangely absent. This will allow us to see the connection between *orexis*, *prohairesis* and voluntary action more clearly in the *Nicomachean Ethics*.

¹⁰⁶ See I.4.3.4, page 99, below.

¹⁰⁷ *Ibid.*, 289.

I.4.2: The Voluntary in the *Eudemian Ethics*

Like the *Nicomachean Ethics*, the *Eudemian Ethics* begins with an account of character before its account of voluntary action and the former is the spur to the discussion of the latter. The *Eudemian Ethics* will therefore provide a template for relating the *De Anima* and *De Motu Animalium* to the *Nicomachean Ethics*, specifically how to relate *orexis* to the internal causes of action which are central to the *Nicomachean* account of the voluntary.

Initially, Aristotle attacks the issue of voluntary action in the *Eudemian Ethics* through a question about whether virtues are natural, or, if not natural, contrary to nature. Aristotle begins a reply with a reference to his conception of biology, saying, “all essences (*ousiai*) are by nature (*kata phusin*) first principles of a certain kind, owing to which each is able to generate many things of the same sort as itself, for example a man engenders man, and in general an animal animals, and plants plants” (*EE* II 6, 1222b15-18).¹⁰⁸ Each species of animal has an essence which essence is the cause of its propagation, generation, and its characteristic activities. Human behavior, however, is unique among all animals because “in addition to this obviously man alone among animals initiates certain conduct (*kai praxeōn tinōn*); for we should not ascribe conduct to any of the others” (*EE* II 6, 1222b18-21). So, our human essence is also a principle involved in *praxis*, which is a kind of motion specific to human beings. Aristotle goes on to state that first principles, which are the first beginning or source of motion, are first principles in the strict sense (*kuriai legontai*), although he is quick to point out their

¹⁰⁸ All references from the *Eudemian Ethics* will be from the Loeb translation: Aristotle, *Eudemian Ethics* The Loeb Classical Library: Aristotle in 23 Volumes, Vol. 20, trans. H. Rackham (Cambridge, Mass.: Harvard University Press, 1981).

analogical usage in mathematics (*EE* II 6, 1222b22). Therefore, since “man is a first principle of a certain motion; for action is motion (*hē gar praxis kinēsis*),” then, “the first principle is a cause of things that exist or come into existence because of it, we must think as we do in the case of demonstrations” (*EE* II 6, 1222b28-32).

Human beings are first principles of a kind that involves contingency, and as principles of this sort their characteristic motions admit of opposites. While some human actions may be necessitated, and some may come about by forces external to the agent, Aristotle argues, “But of things which it depends on him (*eph’ hautōi*) to do or not to do he is himself the cause, and what he is the cause of depends on himself (*EE* II 6, 1222b40-1223a9). From this analysis, as is similarly the case in the *Nicomachean Ethics*, Aristotle proceeds to examine how we may consider things to depend on the agent, what is up to him (*eph’ hautōi*), in what ways can we consider a human being a principle of his actions. Aristotle first sets out a puzzle as to what ‘voluntary’ and ‘involuntary’ might refer to. This is somewhat different from *Nicomachean Ethics* III. Here, rather than starting with a discussion of the involuntary, which is caused by something external, then getting to the voluntary as the opposite, Aristotle has already established that *praxis* is the result of an internal principle. Therefore, he lays out three possible internal principles of which it might be the result: “[the voluntary] would seem to refer to one of these things – conformity with appetite (*orexis*), or with purposive choice (*prohairesis*), or with thought (*dianoia*). Voluntary is what conforms with one of these and involuntary is what contravenes one of them” (*EE* II 7, 1223a23-26). This particular trichotomy is crucial for understanding Aristotle’s account of action. Aristotle’s solution to the problem of voluntary action hinges on unpacking the ambiguity

of the first term, *orexis*, relating it to *prohairesis* and concluding that all action involves some kind of *dianoia*, *orexis* being taken here as a kind of *dianoia*.

Aristotle begins with the first thesis that the voluntary is that which is in accord with *orexis*. Immediately, he says that we must distinguish three kinds of *orexis*: wish (*boulēsis*), spirit or passion (*thumos*), and desire (*epithumia*) (*EE* II 7, 1223a27-28). Thus, Aristotle first considers not *orexis* itself, but a species of *orexis*, namely *epithumia*: “It would seem that everything that conforms with desire (*kat’epithumian*) is voluntary (*hekousion*) (II 7, 1223a28-29). As in Book III of the *Nicomachean Ethics*, Aristotle is keen to refute those who argue that passionate desire or pleasure might render a shameful act involuntary. Against this thesis, Aristotle brings up the example of the ‘uncontrolled’ or ‘incontinent’ man, the *akratēs*:

But yet the uncontrolled man does not do what he wishes (*ouch ha bouletai poiei*), for being uncontrolled means acting against what one thinks to be best (*par’ ho oietai beltiston einai*) owing to desire (*di’ epithumian*); hence it will come about that the same person is acting voluntarily and involuntarily at the same time. But this is impossible . . . a man exercises self-control when he acts against his desire (*para tēn epithumian*) in conformity with rational calculation (*kata ton logismon*) (*EE* II 7, 1223b7-14).

The example of the *akratēs* is problematic for the proponent of *epithumia* because, in this case, *epithumia* clashes with *boulēsis*. We may imagine someone prone to immoderate drinking who, overcome by a desire for drink, goes on a binge which results in missing work and losing his job. The lack of control brought on by *epithumia* in the immediate desire for a drink results in the long-term frustration of the wishes of the *akratēs*, his job security, lifestyle, etc. This conflict accounts also for the phenomenon of regret in the *akratēs*, as opposed to the truly vicious person, who does not experience regret.

Likewise, in the case of the *enkratēs*, or ‘self-controlled’ or ‘continent person’, *epithumia* again conflicts with rational calculation and wish, but wish and rational calculation overcome it. Since no one accounts the actions of the *enkratēs* involuntary, we have a definite problem. If we identify the voluntary with *epithumia*, which is overcome by calculation, then it appears that the *enkratēs* acts involuntarily when he is continent and resists desire. Yet all hold that the *enkratēs* acts voluntarily when he resists, so one and the same action would appear to be both voluntary and involuntary. Further, Aristotle says, “The same argument applies also in the case of passion (*peri thumon*) . . . And a proof of this is that we do many things voluntarily without anger or desire (*epithumia*) (*EE* II 7, 1223b18-29). So, we cannot identify the voluntary with either *epithumia* or *thumos* because they both may conflict with *boulēsis*, and *boulēsis* is, at least ostensibly, also voluntary.

With this initial conflict of the species of *orexis* sketched out, Aristotle proceeds to examine whether “acting as we wish (*to boulomenon*) and acting voluntarily (*hekousion*) are the same” (*EE* II 7, 1223b29-30). This initially seems “impossible” (*adunaton*) because of the apparent behavior of the *akratēs*, which is blameworthy:

But from the hypothesis that acting as we wish and acting voluntarily are the same, the opposite will result; for nobody wishes things that he thinks to be bad, yet he does them when he has become uncontrolled, so if to do injustice is voluntary and the voluntary is what is in accordance with one’s wish, then when a man has become uncontrolled he will no longer be acting unjustly but will be more just than he was before he lost control of himself. But this is impossible (*EE* II 7, 1223b33-37).

Here we have the classic problem of evil in human action. Nobody wishes to harm himself or do something that goes against his own aims and goals and particularly the

ultimate goal of being happy. Yet the *akratēs* does precisely this when he is overcome. If, when overcome by passion against his wish, he does something unjust, he seems to be acting involuntarily – that is, on the assumption that *boulēsis* is the sole source of voluntary action. Yet, it would be odd to call this man blameless for his *akrasia*, which is itself considered a blameworthy condition. In the act, he would be in a better state than he would be considered to be habitually, though the act is the direct result of a blameworthy condition. Therefore, not only can the voluntary not be identified with *boulēsis*, it also cannot be identified with any single species of *orexis* because action which arises from any species of *orexis* seems, thus far, to be voluntary.

From these considerations, it follows that the voluntary cannot be the same as acting in accord with choice or *prohairesis* (*EE* II 8, 1223b38-39). First, Aristotle states that “It was proved that acting in accordance with one’s wish is not acting involuntarily,” as is demonstrated by the *enkratēs* or self-controlled man, who overcomes his passion or *epithumia* and acts in accord with his wish or *boulēsis*. Second, in rejoinder to this, he says, “rather everything that one wishes is also voluntary.” So, all actions which result from *boulēsis* are voluntary; however, “it is possible to do a thing voluntarily without wishing.” So, the voluntary includes actions caused by *boulēsis* but also other things as well – the actions of the *akratēs* moved by *epithumia* are also voluntary. But while actions done in accord with *prohairesis* are also voluntary, since *prohairesis* follows from *boulēsis*, still “many things we wish we do suddenly, whereas nobody makes a purposive choice suddenly (*proaireitai d’oudeis ouden exaiphnēs*) (II 8, 1223b38-1224a4). So, some actions deriving from *boulēsis* are not also the result of *prohairesis* because they are done suddenly, because they are not done in accord with deliberation or

bouleusis. So we are still not out of the woods; nevertheless, several points are clear: the voluntary extends beyond *prohairesis* and includes actions done from *boulēsis* without *prohairesis*, as well as actions done from the other *orexeis*.

Having eliminated two of the possibilities for the voluntary in an unqualified sense, action in accord with desire and action in accord with choice, Aristotle concludes, rather vaguely, that “it remains that voluntariness consists in acting with some kind of thought (*en tōi dianoooumenon pōs*)” (*EE* II 8, 1224a5-7). He returns to the former paradigm of his discussion of motion in terms of principles. One can distinguish between motion which is forced or of necessity (*to biaion* or *to anankaion*) and that which follows from an internal, natural principle.¹⁰⁹ Force is contrary both to the natural movement of non-living things, such as the downward natural motion of a stone, but it is also contrary to the voluntary and that which results by persuasion in human action (*EE* II 8, 1224a8-24). Among natural motions that result from an internal principle, one can divide the movements of inanimate things, such as rocks or fire, from those of animate things by the number and nature of their principles:

¹⁰⁹ As Susan Sauvé Meyer points out, in both the *Nicomachean* and *Eudemian Ethics*, force (*biaion*) and necessity or compulsion (*anankaion*) are distinguished from one another as two separate conditions: the former is violent, moving external force; the latter is the force of circumstances, as when one’s family is held hostage. There is some significant debate about whether the *Eudemian Ethics* offers a different account of the voluntary and involuntary with respect to actions under some form of necessity. In the *Eudemian Ethics*, such actions are classified as *akōn*, or involuntary. In the *Nicomachean Ethics*, such actions are classified as *hekōn*, or voluntary, without qualification, and *akōn* when qualified with respect to the circumstances. Meyer holds that this shows development in Aristotle’s views and that the two ethical works offer a different account of the voluntary and involuntary. I am not so sure about the development thesis, although I would agree that the treatment in the *Nicomachean Ethics* is more nuanced than the *Eudemian Ethics*. With respect to moral evaluation, the two works come to the same conclusion: actions which result from necessity are usually blameless. See Susan Sauvé Meyer, *Aristotle on Moral Responsibility* (Cambridge, Mass.: Blackwell, 1993), chapter 4. For an alternative view of the relationship between the *Eudemian* and *Nicomachean Ethics*, one which argues that the *Eudemian* account of the voluntary is not merely a preliminary analysis or one replaced by the *Nicomachean* account, see Anthony Kenny, *The Aristotelian Ethics* (Oxford: Clarendon, 1978); see also Kenny, *Aristotle’s Theory of the Will* (New Haven: Yale University Press, 1979), especially Part I, chapters 1-5. I do not hazard any theses on the development or the temporal relationship between the two accounts. For the purposes of the dissertation, I assume that they are complementary, allowing for some difficulties interpreting Aristotle’s terse prose; see Kenny, *Aristotle’s Theory of Will*, 38-48.

In inanimate things the moving principle is simple, but in living things it is multiple, for appetite (*orexis*) and rational principle (*logos*) are not always in harmony. Hence whereas in the case of other animals the factor of force is simple, as it is in the case of inanimate objects, for animals do not possess rational principle (*logos*) and appetite (*orexis*) in opposition to it, but live by their appetite (*orexis*), in man both forms are present (*EE* II 8, 1224a23-28)

Human action or *praxis* is unique among the forms of animal motion in that it involves two principles, *orexis* and *logos*, desire and reason. It is easy to determine what is forced for animals or inanimate objects because the cause of their movements is simple. However, in the case of human action, desire and reason are both present and not always in agreement; moreover, both are capable of causing movement independently and in opposition to the other. However, this needs to be qualified because reason is not a principle in the actions of children; we do not call what they do *praxis*, and similarly with animals; rather *praxis* is said of the motions only of “a person who has attained action by rational calculation (*logismos*)” (*EE* II 8, 1224a27-30). In any case, both principles are internal principles, and as such, action driven by either reason or desire is voluntary, even when they conflict. So, as with the *Nicomachean Ethics*, what is voluntary is identified with what arises from an internal principle, though with human beings there is more than one (*EE* II 8, 1224b7-16).

The opinions that continence and incontinence are involuntary, though mistaken, spring from this conflict of internal principles and feelings: “for calculation and appetite are things quite separate, and each is pushed aside by the other” (*EE* II 8, 1224b23-25). From this conflict of particular internal principles “men transfer this to the spirit as a whole, because they see something of this sort in the experiences of the spirit”

(*EE* II 8, 1224b25-26). In a very circumscribed way, we might say of the case of the parts of the soul that there is ‘force’, one principle in conflict with another; however, this cannot be said of the whole soul, “for we possess by nature both parts” (*EE* II 8 1224b26-29). Since neither principle is external to the soul, but both are human, we cannot call either reason or appetite an external principle. This is especially the case with reason (*logos*), since it is “a natural property, because it will be present in us if our growth is allowed and not stunted” (*EE* II 8, 1224b30-31). Likewise, desire is also obviously present in every human being from birth, and “these are pretty nearly the two things by which we define the natural – it is what accompanies everybody as soon as he is born, or else what comes to us if development is allowed to go on regularly” (*EE* II 8, 1224b33-35). From this it follows that each acts in accord with his nature, but not from the same principle within the soul (*EE* II 8, 1224b35-1225a1). Therefore, the final option left to us, that the voluntary is that which is in accord with some kind of thought, is ambiguous.

Aristotle seems to want to argue that reason (*logos*) or calculation (*logistikē*) can also be a source of motion like *orexis*. *Orexis*, as we have seen in the *De Anima* and *De Motu Animalium*, involves *phantasia*, which can be considered a type of thinking. If we limit the voluntary to action caused by *orexis*, we have a problem with continence and some deliberate behavior, because the source of motion there is attributed to reason. If we limit the voluntary to action caused by reason, we have a problem accounting for the negative moral assessments given to *akrasia* and to good or bad actions caused by *epithumia* and *thumos* in children and adults. Aristotle’s inclusion of *orexis* within the genus of thought is not problematic when seen in light of his psychological works, and the conclusion that the voluntary is in accord with some kind of thought does not restrict

it to deliberate actions or agents capable of deliberation; it merely allows the inclusion of such actions and agents on the basis of the fact that reason and calculation are the result of an internal principle.

The account of voluntary action in the *Eudemian Ethics* has given us several key insights to take to our reading of the *Nicomachean Ethics*: 1) the voluntary includes actions from *boulēsis* and *prohairesis*, but not every voluntary action is the result of *prohairesis* or *boulēsis*; 2) voluntary action contrary to *boulēsis* can occur, as in the case of the *akratēs*; 3) characteristically human action, *praxis*, is the result of rational calculation, *boulēsis*, and *prohairesis*, but not every human action is rationally calculated; and 4) the internal principle which renders an act voluntary because self-moved is *orexis*, which includes thought directed by some species of *orexis*. With these points in mind, we will now be able to approach the *Nicomachean Ethics* and give a full account of human action and *prohairesis*.

I.4.3: The Voluntary in the *Nicomachean Ethics*

We are now in a position to give an account of *prohairesis* and the voluntary in the *Nicomachean Ethics* and to begin to solve the difficulties associated with it as well as those which arise with Aristotle's account of *akrasia*. The account in the *Ethics* does not give, as the *Eudemian Ethics* does, an exhaustive and orderly treatment of the different internal principles in its account of voluntary action. Rather, it seems to assume that we are familiar with them, in particular with the role of *orexis*.¹¹⁰ Whatever the reason for that apparent assumption, we can now account for several things in light of our analysis of Aristotle's other works: 1) the distinction between the voluntary and the chosen (*to kata prohairesin*); 2) the extension of voluntary action to children and animals; 3) the voluntariness and intentionality of *akrasia*.

The interpreters we have briefly discussed assume the equivalence of certain concepts and terms, and this, in turn, affects their analysis of Aristotle's psychological and ethical concepts. In particular, it is assumed that the voluntary is co-extensive with what is chosen and what is intentional.¹¹¹ Deliberate choice is taken to characterize the

¹¹⁰ Whether or not there is an assumption here is definitely open to debate. Some, like Kenny, see the *Eudemian Ethics* as the more authoritative of the two texts; others, like Meyer, see the *Nicomachean Ethics* as a mature development of the *Eudemian Ethics* which approaches the question of voluntary and involuntary action from a new and improved vantage point. I am inclined to see that Aristotle must be assuming knowledge with his larger psychology and an account of how the capacities of the soul relate to the genesis of action. While I do not believe that one can say conclusively that the *Nicomachean Ethics* assumes knowledge of the *Eudemian Ethics*, it does seem to assume knowledge of something like the account in the *Eudemian Ethics*. See Kenny, *Aristotle's Theory of the Will*, part I, 3-49, for an extended and extensive comparison of the two texts which argues for a continuity between the texts. Cf. Meyer, *Aristotle on Moral Responsibility*, chapter 3, 59-87, for a contrary account of the same texts.

¹¹¹ A number of scholars hold that what Aristotle calls *to hekousion* is equivalent to what is intentional in English; likewise what is *akousion* is unintentional. See Meyer, *Aristotle on Moral Responsibility*, 9-15. Meyer herself argues that there is no clear translation of Aristotle's terms into the English terms voluntary/involuntary, intentional/unintentional, or willing/unwilling, but that Aristotle's concepts straddle those distinctions. Meyer takes this point from Kenny, *Aristotle's Theory of the Will*, 27 (cited in Meyer, 15, footnote 16). David Charles, while acknowledging certain difficulties with such a translation, argues

actions of most adults and all actions open to moral praise and blame. The fact that many actions do not come from a deliberate choice is not taken to weaken the link between the voluntary and choice; the adult agent is responsible for having failed to choose to deliberate or to acquire the character necessary to deliberate. For thinkers like Aquinas, this implies a prior ability to choose not to deliberate or to abide by deliberation, which is itself a choice. Desires are generally held to be somatic urges, brute and immediate; the imagination, a simple faculty which represents through likeness. As we have seen with our examination of the *De Anima*, the *De Motu Animalium*, and Martha Nussbaum's works, these assumptions are open to question on two fronts: 1) as a description of the terms used and the entities they designate; and 2) as an interpretation of Aristotle's concepts.

It seems to make intuitive sense to say that whatever is voluntary is chosen and intentional, since in English and various other languages one is often asked when taking wedding vows whether the choice to enter into matrimony is made willingly or voluntarily, being of one's own free will. But such customs and expressions immediately raise a *prima facie* concern: if a choice can be voluntary, can a choice also be involuntary? Why ask the question if it cannot? The terms 'intentional', 'voluntary' and 'willing', as well as their corresponding contraries 'unintentional', 'involuntary', and

that it largely holds good; see Charles, *Aristotle's Philosophy of Action* (Ithaca: Cornell University Press, 1984), 57-62. Charles seems to make the identification between prohairesis and intentional action, although allowing for a certain range and variation in meaning. He contrasts the proper deliberate rational choice of a virtuous person with the rational choice of an akratic person on the basis of the premises and scope of their reasoning. He counts the latter as rational by arguing that a desire is a reason for action and an action derived from such a reason is rational. This, I think, involves a certain sleight of hand – a desire might be a reason for action in the sense of explaining it without at the same time justifying it. I think that in the contrast between virtuous and akratic action Aristotle is saying that the former is caused by the agent's desires, knowledge and perceptions in the right way, which reflects an adequate knowledge of the human good and his circumstances; the latter is caused by desires in such a way that the agent fails to exercise his rational capacities and his action reflects a distorted or incomplete picture of the human good and his circumstances. Virtuous action is both explicable and justifiable; akratic failure is merely explicable. We explore this more below. See Charles, *Aristotle's Philosophy of Action*, 148-160.

‘unwilling’ are not necessarily coextensive in standard English usage or in philosophical writing. Saying that an action was willing or unwilling often describes an attitude of an agent towards a voluntary action: we may intentionally and voluntarily pay ransom without necessarily doing so willingly. Likewise, we may voluntarily produce a physical movement whose outcome was neither intended nor willingly done – as when we cause harm because of invincible ignorance.¹¹² As Meyer rightly observes, the same ambiguities apply to the Greek terms at Aristotle’s disposal, *hekōn* and *akōn* and their derivatives, which can respectively be found to display a range of meanings in Greek literature and drama covering the distinctions between voluntary and involuntary, intentional and unintentional, and willing and unwilling. Both contemporary English usage of the terms voluntary, intentional and intending as well as Aristotle’s Greek terms *hekōn* and *akōn* display and are often used to designate a “continuum of commitment” which ranges from the unencumbered, fully cognizant and deliberate choice of action through various degrees of constraint and ignorance all the way to action violently forced. Within that range, qualifications will have to be made to specify the degree and types of commitment based on the state of the agent and his circumstances.¹¹³

From an interpretative standpoint, Aristotle does not seem to limit intentionality, broadly construed, to rational faculties or, in the sense of action intentions, to deliberate choice (*prohairesis*); moreover, his descriptions of actions which are *hekousios* and *akousios* seem to cover a range of actions, only some of which are deliberate. It seems clear that Aristotle gives both *orexis* and *phantasia* capacities that would be described as intentional: They are purposive mental states involved in practical thinking and moving

¹¹² Meyer, 9-15; Kenny, *Aristotle’s Theory of the Will*, 27.

¹¹³ Meyer, 11-13.

an agent to act which require at least some minimal level of cognizance. This cognizance must involve some sort of judgment and belief, even if such judgments and beliefs fall short of true intellectual judgments and beliefs, which Aristotle attributes only to humans with rational capacity.¹¹⁴ While some subsequent interpreters have assumed that the powers Aristotle attributes to these capacities are a function only of reason (*logos*) and that it is only because human beings possess reason that they can have a rational appetite and form intentions and execute intentional actions, Aristotle claims that the same capacities which generate animal motion are sources of human behavior. As we shall further show below, Aristotle also narrows the range of acts which count as coming from a deliberate choice or *prohairesis*, while many of his interpreters tend to expand the range of deliberate choice, both in their interpretations and in their views of action in general. This makes it difficult to account for precisely the things that Aristotle calls voluntary but not chosen, e.g., quick action, incontinent action, and the acquisition of character.

¹¹⁴ See Alasdair MacIntyre, *Dependent Rational Animals*; Thomas Tuozzo, "Conceptualized and Unconceptualized Desire in Aristotle" *Journal of the History of Philosophy* 32.4 (Oct. 1994), cited in MacIntyre, *ibid.*, 70. MacIntyre drawing from Tuozzo argues that animals and young children have unconceptualized desires and intentions with corresponding indefinite states of belief. Giving examples of animal behavior, MacIntyre argues that animals have some unconceptualized beliefs and make similar judgments which move them to act. We will examine MacIntyre's claims further in Part II of the dissertation.

I.4.3.1: Voluntary Action, Responsibility, and the Foundations of Choice

The keystone of Aristotle's account of voluntary action as well as his account of moral responsibility is the idea that human agents are self-movers who themselves possess the principle of their actions within them. The *Nicomachean Ethics* follows the *Eudemian Ethics*, *De Anima* and *De Motu Animalium* in making the explanation and evaluation of action hinge on a description of the causes of human action. In examining the *Nicomachean Ethics*' account of voluntary action and moral assessment, we shall pay particular attention to the way in which Aristotle distinguishes the various principles of action, internal and external, and how those principles affect action description and assessment. In this section, we will follow Aristotle's account of voluntary action from his initial discussion of the involuntary and mixed types of action, to his definition of the voluntary in terms of an internal principle, which will lead us to discuss the responsibility agents have for states of character as well as to defend Aristotle's attribution of voluntary behavior to children and animals. In examining cases of force or compulsion in which an agent has some choice to act, i.e., mixed actions, we shall argue that Aristotle conditionally allows intentional instrumental harm; that is to say, under certain circumstances and for certain purposes one may intend an otherwise bad or harmful action and such an action may even be praiseworthy. The significance of this point will not be immediately evident, but will be brought out in the second part of the dissertation.

Aristotle's account of *prohairesis* begins in Book III of the *Nicomachean Ethics*; however Book III does not begin with an account of *prohairesis*. The second book of the *Ethics* gives an account of virtue and its relation to character (*ēthos*) and action (*praxis*):

virtue is a good state of character acquired through habituation which affects or results in *prohairesis* (NE II 6, 1107a1-3). Having discussed character, Aristotle now turns his attention to action (*praxis*), which results from *prohairesis*. Virtue, Aristotle says, concerns action and actions are praised or blamed if they are voluntary (*hekousios*) and pardoned or pitied if they are involuntary (*akousios*). In the *Ethics*, the voluntary is prior, both in actuality and in the order of presentation, to *prohairesis*, and the nature of the voluntary and the involuntary must be discussed if virtue is to be understood (NE III 1, 1109b30-34). The beginning of Book III signals both that *prohairesis* is grounded in a larger account of human action and that such an account of human action will serve as a basis for moral assessment.

Aristotle's dialectical treatment of the voluntary and the involuntary takes as its starting point the relation between moral assessment and an agent's causal responsibility for actions and consequences. From a causal perspective, involuntary action seems, at first glance, easier to identify than voluntary action. The defining characteristics of involuntary action seem to be force and ignorance:

Now it seems that things coming about by force or because of ignorance are involuntary. What is forced has an external principle, the sort of principle in which the agent, or [rather] the victim, contributes nothing – if, for instance, a wind or people who have him in their control were to carry him off (NE III, 1, 1110a1-4).

Aristotle attempts to ground the relationship between praise and blame, as well as pardon, with an eye toward the causes of action. Praise and blame attach to the agent to the extent that the agent is the cause of his act. To the extent that an agent's causal contribution to an act or its consequences is limited by an external cause, the agent's responsibility for the act and its consequences is reduced.

The causal approach is central to Aristotle's discussion of exculpatory circumstances.¹¹⁵ There are very few cases of strictly involuntary action, and Aristotle does not go into much detail for this class beyond saying, "Perhaps we should say that something is forced without qualification whenever its cause is external and the agent contributes nothing" (*NE* III 1, 1110b2-9). There are, however, more obvious cases of "mixed action," where an external force contributes a substantial amount to reducing the options open to human agents; hence the action is a mixture of two causes, one internal and one external to the agent. Aristotle gives the example of sailors who have to throw cargo overboard to save their ship in a storm.¹¹⁶ It seems that their actions are voluntary because they voluntarily threw the cargo overboard; however, without the storm as a source of external compulsion, they would not have done so. Because of the contribution of external factors, in this case nature, an action seems involuntary; however, in relation to the options which remain open to the agent, the action is voluntary and can receive praise or blame. Aristotle says that, without qualification, such actions are involuntary;

¹¹⁵ Here and below, I will be disagreeing with Susan Sauvé Meyer on the nature of Aristotle's account of the voluntary in the *Nicomachean Ethics*, although I do not disagree with everything she says. Meyer argues that the *Nicomachean Ethics* presents a more developed view of involuntary ignorance because it recognizes that exculpatory ignorance is contrary to the agent's impulse or desire but is not external to him. She argues that forced movement is not the paradigm for involuntary action in the *Nicomachean Ethics*, but she thinks it is in the *Eudemian Ethics*. As evidence for this development, she cites the pain and regret that Aristotle says an agent must feel when his ignorance is corrected and he sees the harm that he has done. I do not find the textual evidence for a shift from the *Eudemian* to the *Nicomachean* in terms of the standards of responsibility compelling. Aristotle divides actions caused by ignorance from actions done in ignorance by reference to the agent's relation to the lack of knowledge in question. If, in the former case, the agent is not responsible for his lack of cognizance of his circumstances, if things change on him unnoticed and beyond his control, then he is not responsible for the actions or harms which result. However, if, as in the latter case, the agent is the cause of his own ignorance, which causes the actions to result in harm to himself or others, he is responsible for the harms which result. In the former case, the reason the ignorance is exculpatory is because it is externally caused; in the latter case the reason it is not is because it is internally caused. See Meyer, *Aristotle on Moral Responsibility*, 76-84.

¹¹⁶ A similar example occurs in Herodotus: when Xerxes is crossing the Hellespont by ship, a storm suddenly appears and the captain is forced to throw soldiers overboard to save the King. When Xerxes reaches the shore, he crowns his captain as a reward for saving his life and then beheads him for killing his men. This example is probably meant to show the perversity of the barbarian invader, and such a case was probably familiar to Aristotle's audience. See Herodotus, *The Histories*, 8.118, trans. David Greene (Chicago: University of Chicago Press, 1987).

no one would choose to throw the valuable cargo overboard for its own sake. However, when qualified with the circumstances the agent found himself in, they are voluntary; for given the choice between death or the destruction of property in such a storm, on such a ship, the choice of throwing the cargo overboard is voluntary. As such, mixed actions are more like voluntary actions. The ship might be sinking, but we throw the cargo off first rather than the women and children; to do otherwise is blameworthy, although not as blameworthy as it would be in the absence of a storm. The nature of the agent's causal contribution affects the possibility and scope of moral assessment (*NE* III 1, 1110a6-19). Cases of mixed action are not, strictly speaking, caused by violence or force but they are necessitated or compelled, which is like force or violence in that the compulsion is external to the agent (*NE* III 1, 1110a27-28).¹¹⁷

¹¹⁷ See Irwin, *Nicomachean Ethics*, "Notes," 202-203 for the shift from violence or force to compulsion; see also Meyer, 93-16, esp. 94-100, for the significance of the same.

I.4.3.2: Compulsion, Harm, and Instrumental Intentions

Before moving on to cases of ignorance, we must note some salient features of Aristotle's example of the sailors in the storm that will be significant for the second half of the dissertation, when we focus on intentions and responsibility for side-effects or other undesired consequences. Aristotle's description of the sailors and the storm, and likewise his descriptions of the other mixed action scenarios, shows agents choosing some harm or other instrumentally to attain some good. As Aristotle says of mixed actions, "For at the actual time when they are done, they are chosen . . . and the end . . . varies with the occasion,"¹¹⁸ and further on he says, "It is sometimes difficult, however, to judge what should be chosen at the price of what, and what should be endured as the price of what" (*NE* III 1, 1110a12; 1110a30-31).¹¹⁹ Aristotle uses the Greek preposition *anti* in phrases such as *poion anti poiou* and *ti anti tinos*, and they both translate to "what as the price of what" or "what for the sake of what."¹²⁰ The latter translation might be preferred because Aristotle points out that the qualification which renders mixed actions voluntary rather than involuntary is that they involve a choice in light of a goal and that the act chosen is choiceworthy on that occasion for that purpose.¹²¹ The harm is not desired for itself, but only under the restricted circumstances and only for a substantial

¹¹⁸ Here I use Rackham's translation. Irwin uses "choiceworthy" for *hairetai* instead of "chosen." Kenny translates *hairetai* as "objects of choice," which seems motivated by his own interpretation of the passage, which we will examine below. Meyer prefers Rackham's. See Irwin, *Nicomachean Ethics*, 30; Kenny, *ibid.*, 31; Meyer, *ibid.*, 112.

¹¹⁹ The Greek for the citation reads *esti chalepon eniote diakrinai poion anti poiou hairiteon kai ti anti tinos hupomeneteon*. I have chosen Irwin's translation of this, but I have omitted Irwin's interpolations, which he himself bracketed, so that the indefinite nature of Aristotle's description comes through. Irwin inserted "goods" and "evils" to follow his translations of *poion* and *poiou* as well as *ti* and *tinis*.

¹²⁰ See the entry for *anti* in Henry G. Liddell and Robert Scott, *Greek-English Lexicon*, 9th ed. (Oxford: Clarendon, 1940). [Accessed through www.perseus.tufts.edu].

¹²¹ See Meyer, *Aristotle on Moral Responsibility*, 112, for the connection between the goal (*telos*) and the circumstances or occasion.

good. The sailors do not want to destroy the cargo – they are not vandals or pirates – but they do choose to destroy it to save themselves, and they desire to do so insofar as it will render them safe.

The fact that Aristotle uses in several places the verb ‘choose’ (*haireisthai*) and the phrase ‘what for the sake of what’ is problematic for many contemporary interpreters because it seems to suggest that Aristotle is some sort of consequentialist. Anthony Kenny rejects the view that Aristotle is justifying instrumental harms or evils. Instead, he argues, the emphasis is on what agents ought to endure (*hupomenein*). Passing from the sailors-in-the-storm example, Kenny emphasizes the hostage and ransom cases to which Aristotle briefly alludes in the same passage, which “suggests that he has in mind here not the positive performance of evil for good ends, but rather the submission to suffering and disgrace.”¹²² Kenny further argues that when such mixed actions are performed, “the most a man can hope for . . . even under threat of inhuman torture, is pardon or excuse.”¹²³ Therefore, according to Kenny, Aristotle is not approving of instrumental harm, he is merely excusing it when circumstances call for pardon.

The most salient problem for Kenny’s interpretation is that while Aristotle concedes that mixed actions have elements of the involuntary (the external circumstances), they do have voluntary elements and such elements are subject to evaluation. While Kenny tries to evade this point, he does acknowledge that throwing the cargo overboard is intentional and the act is intended on Aristotle’s account.¹²⁴ Therefore, at the very least, Aristotle is saying that it is permissible, under certain circumstances, to intend harm (in the case of the sailors, the harm of loss of property to

¹²² Kenny, *Aristotle’s Theory of the Will*, 33. Kenny attributes the source of his view to Aspasius.

¹²³ *Ibid.*

¹²⁴ *Ibid.*, 35.

the owners of the cargo) for the sake of some good. Likewise, such acts may receive more positive moral evaluation than pardon. Kenny misconstrues Aristotle's statements about the evaluation of mixed actions. Aristotle does not say that all mixed actions only receive pardon. At *NE* III 1, 1110a20, Aristotle claims that some mixed actions receive praise, and he seems to be referring to cases like the sailors in the storm because he says "For such actions people are sometimes actually praised" and this appears following his analysis of the sailors in the storm. Later Aristotle concedes that "In some cases there is no praise, but there is pardon" (*NE* III 1, 1110a24-25), but this does not support Kenny's generalization.

While it must be admitted that Aristotle's treatment of mixed action is both short and vague, it does seem that it supports the conditional permissibility if not approval of intentional, instrumental harm. While Aristotle also claims that there are some actions that we can never be compelled to do, and we should suffer death rather than do them, he does not enumerate or specify what acts are always forbidden, except by an allusion to Euripides, and he is loath to offer any *a priori* rule to decide such things (*NE* III 1, 1110a27-35). Be that as it may, there are two features of his account which are rather less ambiguous in support of the conditional permissibility of instrumental harm. The first, as we have already mentioned, is that he uses the verb 'to choose' and expressions like 'what at the price of what'. The second is that he does not rely on anything resembling the distinction between intention and foresight to exculpate the agents he is describing. It precisely because the agents can foresee the consequences of their actions *and* have a choice in the matter (albeit a limited one) that they are responsible for what they do. When Aristotle does speak of pardon, he does not argue that the agents facing

compulsion to do shameful acts ought to be pardoned because they did not, under the circumstances, intentionally choose to do the shameful acts as a means to some other end. Rather, he argues that the intention or choice of the agent must be seen in light of the circumstances and the goal. The intention or choice of the agent does not stand outside of the circumstances and cannot be assessed as fit or unfit, as well as praiseworthy, blameworthy, or pardonable, without reference to a full, thick description of the circumstances, end, and means.¹²⁵

¹²⁵ Meyer, *ibid.*, 112.

I.4.3.3: Ignorance, Cognizance, Cause, and Responsibility

The link between responsibility, cognizance, choice, and moral assessment is also the key to understanding Aristotle's account of the kinds of ignorance which can render an act nonvoluntary (*ouch' hekousion*) or involuntary (*akousion*) and which can exculpate an agent.¹²⁶ The account of ignorance follows the account of mixed action immediately in *NE* III 1, and it similarly places an emphasis on the different types of causes, internal and external, of action. There are two types of action affected by ignorance corresponding to two different ways one can be ignorant of what one is doing. The first type of action is action "caused by ignorance" (*di' agnoian*); the second is action done "in ignorance" (*agnoōn*) (*NE* III 1, 1110b25-30). The former occurs when an agent is ignorant through some external accident beyond his control. To illustrate this type of ignorance, Aristotle gives an example from Euripides' lost play *Cresphontes*, where Merope kills her son mistaking him for an enemy, as well as other examples of actions with tragic consequences resulting from ignorance not caused by the agent (*NE*

¹²⁶ Rackham in his translator's notes to the opening of book three notes that: "*hekousion* and *akousion* are most conveniently rendered 'voluntary' and 'involuntary'; but the word *akousion* suggests 'unwilling' or 'against the will,' and to this meaning Aristotle limits it in 1.13. There he introduces a third term, *ouch hekousion*, 'not voluntary' or 'not willing,' to describe acts done in ignorance of their full circumstances and consequences, and so not willed in the full sense; but such acts when subsequently regretted by the agent are included in the class of *akousia* or unwilling acts, because had the agent not been in ignorance he would not have done them." Meyer claims that the requirement for regret or pain cannot be encompassed by the general requirement of involuntary action, namely one of external causation. She claims that there must be two requirements, either of which is sufficient to render an act involuntary, one is external causation, the other is contrariety to impulse. She also uses this to argue that the *Nicomachean Ethics* develops and improves the *Eudemian Ethics*. I do not think the text bears out the weight Meyer places on Aristotle's account of pain and regret with respect to an agent whose action was caused by ignorance and feels remorse when that ignorance is resolved. Likewise, I do not think, as Meyer does, that Aristotle means this requirement to be an addendum to a requirement for external causation. The type of ignorance which is exculpatory is external to the agent in that he was not responsible for causing it; therefore, there is really no significant shift either from mixed action or from the *Eudemian* to the *Nicomachean Ethics*. See Meyer, 94-116.

III 1, 1111a7-15).¹²⁷ Ignorance such as this can encompass any one or more of the following circumstances of action according to Aristotle: the agent, the act itself, the instrument, the patient or object, the results or end (*heneka tinos*) and the manner of execution (*NE* III 1, 1111a4-6). Aristotle later says that the most important particulars to have knowledge of are what the agent is doing and that for which he does it. The latter circumstance seems not simply to refer to the goal of the action, but also the results or consequences of the action, since a number of the examples Aristotle gives hinge on an action having a different and contrary result from the one intended (*NE* III 1, 1111a7-18). We can be pardoned for an unexpectedly bad result if we were unaware of some salient feature of the situation through no fault of our own.

Sometimes, however, we are at fault for our ignorance and this fault changes the evaluation of actions done because of that ignorance. Actions done in ignorance, where the ignorance results from a prior choice or act of the agent, are attributable to the agent, although not in the same way as if they had been done with full cognizance. This category of action is typified by acts of drunkenness or anger, where the prior choice or act, getting drunk or allowing oneself to fall into a rage, blinds the agent to what he is doing and its consequences. The agent is blameworthy for the act and bad consequences, but not in the same manner as if he had acted with full cognizance. With drunkenness, as Aristotle points out, legislators in his time sometimes punished both the ignorance caused by drunkenness and the act which resulted.¹²⁸ In other cases, someone may not take care (*mē epimelēthēnai*), but being careless is the agent's responsibility, such that the

¹²⁷ See Irwin, *Nicomachean Ethics*, Notes, 204, for the reference to Euripides.

¹²⁸ As Irwin notes, it was not common for legislators in Aristotle's time to punish both the drunkenness and the act done when drunk. Aristotle apparently makes mention of Pittacus of Mytilene in the *Politics* making such a law. It seems that Aristotle favors it here in the *Ethics*; however, as Irwin rightly notes, no firm conclusion can be made. See Irwin, *Nicomachean Ethics*, "Notes," 209.

ignorance and the act which results because of the ignorance are attributable to the agent (*NE* III 1, 1110b25-30; 5, 1113b30-a13). In contemporary law, similar assessments are made with respect to drunk driving and other forms of voluntarily diminished capacity, where the agent is held responsible for his diminished capacity and the act which follows, although not as harshly as he would have been had the harmful act been premeditated. An agent's cognizance of his actions is a double-edged sword in terms of moral assessment: While an agent's cognizance of himself and his circumstances can limit his responsibility for his actions, that same cognizance can also be a source of blame when an agent fails to be mindful.

Mitigating factors, of whatever sort, must be external to the agent in order for the agent to receive pardon or reduced blame for harmful or otherwise bad actions; which is why we cannot be compelled by any form of desire. Aristotle defines voluntary action, as in the *Eudemian Ethics*, by reference to an internal principle: "voluntary action seems to be what has its principle in the agent himself, knowing the particulars that constitute the action" (*NE* III 1, 1111a22-24). The internal principle referred to here is most certainly an oblique reference to *orexis*; the reference to knowledge of particulars need not assume anything more than sentience and imagination. As if to confirm our intuition, Aristotle attacks common sophistical arguments that feelings of pleasure can render an action involuntary (*NE* III 1, 110b10-16). He argues that if pleasure could compel us, everything would be forced. Moreover, someone who suggests that pleasure compels us would seem to do so to excuse his shameful actions while at the same time taking credit for painful but noble actions. Pleasure and pain are not external forces confronting an

agent. Likewise, the experience of pleasure and pain is variable agent to agent and alterable by alteration of character.

I.4.3.4: Internal Causation and the Scope of the Voluntary

Aristotle's account of the factors which do and do not exempt an agent from praise and blame centers on the nature of the cause of the act: actions which have a predominantly internal cause are subject to evaluation; actions which have a predominantly external cause are not. Aristotle's discussion of pleasure and pain in this context is not merely to refute obscure sophistical opinions or to exonerate hedonism or other kinds of weakness. What pleasure and pain point to are the forces that give rise to action *within* an agent, to the kinds of *orexis* which in turn derive from our character:

For presumably, it is not right to say that action caused by spirit or appetite is involuntary. For, first of all, on this view none of the other animals will ever act voluntarily; nor will children . . . Indeed, we ought both to be angry at some things and to have appetite for some things – for health and learning, for instance. Again, what is involuntary seems to be painful, whereas what accords with appetite seems to be pleasant (*NE* III 1, 1111a25-34).

Aristotle's description of action which is *hekousios* explicitly includes things done by both children and animals. For Aristotle both children and animals act from internal principles. It is nothing unusual to suggest that both animals and children are motivated by pleasure, and pleasure stems from desire, which is an intentional though not wholly rational capacity on Aristotle's description. An adult human agent does not cease to be moved by these desires, nor should he be; these *orexeis* are still human: "non-rational feelings seem to be no less human than rational calculation; and so actions resulting from spirit or appetite are also proper to a human being," and for this reason, "It is absurd to regard them as involuntary" (*NE* III 1, 1111b2-3). The extension of the voluntary to cover action generated by an internal principle of desire, even if that desire is not

deliberate, likewise extends to the results of the actions. Aristotle argues both that virtues are voluntary and that they are not voluntary in the same way as actions (*NE* III 5, 1114b23-25; 1114b30-31). States of character are voluntary because the actions which gave rise to them are voluntary, even if they were not, and in most cases are not, chosen. Virtue and vice are up to us because “when acting is up to us, so is not acting, and when no is up to us, so is yes” (*NE* III 5 1113b7-9).

In this light, it is easier to see how we can respond to the objections of Irwin and others about the unequivocal attribution of voluntary behavior to animals and children.¹²⁹ In the wide sense, children have many choices to make; whether to eat their vegetables, share their toys, etc. When children make mistakes they are corrected. They are *not* corrected or punished because they acted with the cognizance of an adult. They are corrected because they are the agent, they are the cause, and if we wish them to act differently, to acquire different habits and learn, we must correct *them*. Moreover, our correction of a child is also aimed at convincing them that what we want them to do is what is best for them. We do not, of course, try to convince a five-year-old that sharing his toys is the best thing to do; however, as a child grows older, we do offer them more detailed explanations as to value of our advice and admonition. The acquisition of character traits is voluntary insofar as these traits can be otherwise and as we are the ones who possess them. We may, through deficient or abusive upbringing, acquire bad habits or traits of character. This is voluntary not because as children we were vicious and turned away from the good but because we are the agents, and we are the ones whose actions and desires become directed towards bad ends. These traits are not set by nature and can be changed, but not overnight. Aristotle uses the example of a sick person whose

¹²⁹ See section 1.4.1, page 66, above.

illness is a result of his lifestyle. The sick person does not wish to be sick, but by living as he does, his sickness follows from the actions he chooses. The same goes for the non-virtuous and vicious people. An agent, having acquired a state of character through many acts, cannot discarded a state of character in one act or in one wish. However, he is still able to correct himself by choosing other actions, and over time of acquiring a new state of character (*NE* III, 5 1114a14-22). Acts and states of character are both voluntary, but the former because of the latter, and the latter because directed by an internal principle and not necessarily adult cognizance.

The crux of the matter, as Martha Nussbaum rightly observes, is that in Irwin and others' view "nothing short of full adult *prohairesis* ever could justify" the "attitudes and practices" which link responsibility and moral assessment.¹³⁰ This in turn assumes that "there is at some point in the development of a child a sudden mysterious shift" where the child acquires a capacity which he wholly lacked, the capacity to deliberate.¹³¹ However, on the Aristotelian view, a child is not merely "a creature simply there to be causally affected and manipulated," rather, it is "a creature that responds selectively to its world via cognition and *orexis*, and whose movements are explained by its own view of things, its own reachings-out for things as it views them."¹³² Something similar could be said for many higher-order animals, especially those that are capable of training or complex purposive behavior, like dogs, elephants, and dolphins.¹³³ We are in a poor position to account for the praise and blame which we direct towards children unless this is a form of communication "to an intelligent creature who acts in accordance with its own view of

¹³⁰ Nussbaum, *Fragility*, 284.

¹³¹ *Ibid.*, 285.

¹³² *Ibid.*

¹³³ Nussbaum, *Fragility*, 286; see also Alasdair MacIntyre's *Dependent Rational Animals* for an extended defense of animal intelligence and agency, especially in the case of dolphins.

the good,” however limited.¹³⁴ There is, therefore, no two-stage, ‘complex’ theory of the voluntary. The Aristotelian account of the voluntary attributes a level of intentional awareness and attention to children and animals greater than that which Irwin sees them capable of exercising. This has two advantages: 1) we can account for our actual educational practices, which include praise, blame, and other forms of communication which require intelligence and intention on the part of the immature recipient; 2) we can see how adult capacities and character develop from a “natural animal basis” (a basis described in detail in Aristotle’s psychological works), rather than mysteriously and spontaneously arriving at a certain age.¹³⁵

The accounts of the various types and causes of action in Book III of the *Nicomachean Ethics*, though by no means exhaustive, have allowed us to see the connection between the theory of action explanation and moral assessment in the *Ethics* and the psychological works, as well as to defend Aristotle’s account against modern objections lodged by Irwin, Broadie, Donagan, and others. They have also allowed us to see Aristotle’s expansive notion of responsibility for one’s actions, even under extreme circumstances, which is based on his account of the principles of action. This examination puts us in good position to move on to Aristotle’s more specific account of human action “*par excellence*” in his description of *prohairesis*.¹³⁶

¹³⁴ *Ibid.*, 286.

¹³⁵ *Ibid.*

¹³⁶ Kenny, *Aristotle’s Theory of the Will*, 91. Kenny calls *prohairesis* the “*archē par excellence*” of human action.

I.4.3.5: Deliberation and *Prohairesis*

I.4.3.5.1: *Boulēsis* and *Bouleusis*

We are now in a position to give an account of the connection between *boulēsis*, *prohairesis*, and deliberation (*bouleusis*) in characteristically mature human action, as well as to give an account of other forms of human action. First, we now have a view of *orexis* as an intentional capacity in all of its several forms. Second, we have seen how *phantasia* is capable of affecting purposive motion in both animals and humans. Third, we have found that Aristotle's use of the 'practical syllogism' is not restricted to cases of genuine deliberation but describes the structure of purposive motion in general, even in instances without rational thought. The significance of these points for an understanding of *prohairesis* is threefold. First, in the next section, we will be able to give a distinctive account of *boulēsis*, the orectic precursor of *prohairesis*. We will argue that *boulēsis* is a temporally forward-looking mode of intending, which is concerned in the first instance with ends at a certain level of generality and indefiniteness. We will also argue that it is possible to have both 'dispositional' and 'occurrent' kinds of *boulēsis*. Second, in section I.4.3.5.3, we will be able to give an account of the content and structure of deliberation. We will argue that the ends with which we begin deliberation are such that the means chosen cause the ends by constituting them as opposed to merely bringing them about instrumentally. Furthermore, this reveals how the end is a formal cause of the means chosen. Third, in sections I.4.3.5.3 and I.4.3.7, we will show how the process of deliberation leads to action on the basis of the analogy of the practical syllogism. We

will show that the conclusion of practical thinking can be both a choice (*prohairesis*) and an action, or an action without a *prohairesis*. We will also show how it is that deliberation entails the *prohairesis* that results (sec. I.4.3.7). To support this account, we will show how *prohairesis* like *boulēsis* can have dispositional and occurrent senses, how action can arise from sources other than *prohairesis*, and how action in the absence of *prohairesis* can still be intentional. We will also address, in section I.4.3.6, how *prohairesis* is a composite capacity according to Aristotle, against the interpretation of Alfred Mele. This will have significance for our account of the intentionality of desire in the second part of the dissertation.

I.4.3.5.2: The Place of *Prohairesis* in Aristotle's Accounts of the Soul and Action

The first issue with which we must deal, as noted above, is the relationship between *prohairesis* and *boulēsis* in the *Nicomachean Ethics*. Adequately understanding this relationship will establish the psychological place of *prohairesis* in the genesis of action, which is important because *prohairesis* is largely unmentioned in the psychological works and Aristotle argues conclusively against identifying it with any of the three species of *orexis* he has already named. Two possibilities that Aristotle rejects at the outset of his account in the *Nicomachean Ethics* are that *prohairesis* is the same as either appetite (*epithumia*) or spirit (*thumos*). This cannot be the case, he argues, principally because both of these capacities are shared with brutes and aim at pleasure and pain rather than the good. Likewise, *thumos*, which leads to anger, is rarely in agreement with what is decided (*NE* III 2, 1111b11-19). Having eliminated appetite (*epithumia*) and spirit (*thumos*) as candidates for *prohairesis*, Aristotle then tackles *boulēsis* or wish. *Boulēsis*, or wish, would be a logical candidate to be identified with *prohairesis*, but Aristotle argues that it cannot be. In the first place, *prohairesis* cannot be *boulēsis* because *boulēsis* concerns both the things that we may do as well as the actions of others, while *prohairesis* concerns only our own actions. Second, *boulēsis* concerns the ends we act for, whereas *prohairesis* concerns what we do to achieve those ends. Everyone wants to be healthy, however, not everyone decides on those things that make one healthy, good diet, exercise, etc. Likewise, everyone wishes to be happy, but not everyone acts in such a way as to be happy. Happiness is also more than a state of

mind or feeling; as an activity it requires external goods, friends, moderate wealth, and good fortune, and these are beyond what we can properly control (*NE* III 2, 1111b23-31).

Eliminating the various species of *orexis* as contenders for the role and identity of *prohairesis*, Aristotle finds that the dependence of *prohairesis* on deliberation (*bouleusis*) is the first clue to unraveling *prohairesis*' nature: "perhaps what is decided is what has been previously deliberated. For decision involves reason and thought, and even the name itself would seem to indicate that [what is decided, *prohaireton*] is chosen [*haireton*] before [*pro*] other things (*NE* III 2, 1112a15-18)¹³⁷. Deliberation concerns a narrow field of objects. One does not deliberate about eternal verities, the nature of the universe, mathematics, or necessity, likewise one does not deliberate about things that arise completely by chance – we cannot deliberate about winning the lottery for instance. Rather, one only deliberates on what is achievable through one's own agency (*NE* III 3, 1112a23-31). Deliberation, unlike wish or belief, is about the same things that our actions are about: "We deliberate about what is up to us, that is to say, about the actions we can do; and this is what is left." We do not deliberate about all human affairs either, as Aristotle says that no Spartan, for instance, deliberates about how the Scythians might have the best political system," but "each group of human beings deliberates about the actions they themselves can do (*NE* III 3, 1112a28-29, 33). What is in our power to alter through our own individual actions or those upon whom we have influence or control is what we can deliberate about. Deliberation is context-dependent and changing, in that on one occasion we deliberate, as Aristotle says, about money-making and on another occasion about medicine, and each time with different results. We deliberate about

¹³⁷ The bracketed interpolations are Irwin's as they appear in his translation.

beliefs because we are uncertain and what we believe is up to us. Neither context-dependence nor uncertainty applies to the sciences (*NE* III 3, 1112b1-8).

Deliberation provides the crucial link between *prohairesis* and the species of *orexis* Aristotle describes in his psychological works. Among the things within the control of human agency, deliberation focuses on means rather than ends, but the end must be present first and the end is the object of *boulēsis*. Aristotle gives two examples concerned with craft to illustrate deliberation. A doctor, he says, does not deliberate about whether to cure a patient but how; likewise, a politician does not deliberate about whether to produce a good political order but through which means. Ends are related to deliberation, but as the starting point: “Rather, we lay down the end, and then examine the ways and means to achieve it” (*NE* III 3, 1112b16-17).¹³⁸ The end is the first thing considered in deliberation, the decision, as Aristotle says, is the last. This allows us to see now how Aristotle’s etymology of *prohairesis* is related to his analysis of deliberation. A decision is not given but emerges from deliberation: “What we deliberate about is the same as what we decide to do except that by the time we decide to do it, it is definite; for what we decide to do is what we have judged [to be right] as a result of deliberation” (*NE* III 3, 1113a3-6). The temporal end of deliberation, the last thing we come to, is the beginning of action, which Aristotle identifies as a *prohairesis* (*NE* III 3, 1113a6-7). Deliberation modifies desire and produces *prohairesis*, which is why Aristotle calls it a *bouleutikē orexis* or “deliberative desire” (*NE* III 3, 1113a10-13).

¹³⁸ See Henry Richardson, *Practical Reasoning and Final Ends* (Cambridge: Cambridge University Press, 1995). Richardson’s book is an extended defense of how we may deliberate about final ends, more or less in the Aristotelian way. Richardson is not sure, however, if Aristotle would have agreed with his own position. He notes the opposing opinions of a number of commentators.

Decision (*prohairesis*) proceeds from deliberation (*bouleusis*) which in turn proceeds from wish (*boulēsis*).

Boulēsis is distinguished from the other species of *orexis* by two qualities: 1) it is concerned with ends that must be realized at some temporal remove through rational deliberation; and 2) such ends are taken to be good by the agent rather than merely pleasant. The other species of *orexis*, *epithumia* and *thumos*, are concerned with bodily, sensual pleasures and anger respectively, the cathartic satisfaction of which seems for Aristotle to be analogous to the satisfaction of *epithumia*. Their objects are temporally immediate – the satisfaction of thirst, hunger, sexual arousal or revenge. *Epithumia* is a species of *orexis* present in any animal that has *orexis*, as Aristotle explicitly identifies it as present in brutes, as we have seen (see DA III 10, 433b5-12; DM VII, 701a25-701b1).¹³⁹ *Boulēsis*, by contrast to these *orexeis*, is concerned with the future, and this comes out in its conflict with *epithumia* in the *akratēs*. *Epithumia* directs him to the consummation of some present desire, while *boulēsis* directs him to some longer-term goal. The immediate pleasure, when seen in light of *epithumia*, seems to be really and absolutely good to the *akratēs*; however, the rational element in him points to a real good, as seen by the light of *boulēsis*. *Boulēsis*, as opposed to the other species of *orexeis*, is

¹³⁹ That *boulēsis* is a future-oriented desire as opposed to *thumos* and *epithumia* seems implied by the following passage: “Now appetites (*orexeis*) may conflict, and this happens wherever reason (*logos*) and desire (*epithumia*) are opposed, and this occurs in creatures which have a sense of time (for the mind advises us to resist with a view to the future, while desire only looks to the present; for what is momentarily pleasant seems to be absolutely good and absolutely good because desire (*epithumia*) cannot look to the future). Thus while that which causes movement is specifically one, viz., the faculty of appetite qua appetitive or ultimately the object of appetite (for this though unmoved, causes movement by being though or imagined), the things which cause movement are numerically many” (DA III, 10 433b5-12). Only humans possess *boulēsis* because it is a desire which shares in the rational part of the soul. See also Alfred Mele, “Aristotle’s Wish”, *Journal of the History of Philosophy*, 22.2 (Apr. 1984), 140, for a discussion of the appetites and a detailed list of citations. Unlike Mele, however, I will be emphasizing the temporal element in the contrast between *boulēsis* and the other kinds of *orexis*. Ross also notes the future-oriented aspect of *boulēsis*. Mele notes this about Ross, but does not emphasize it in his own account. See Ross, *Aristotle*, 5th ed. (London Methuen, 1953), 145; cited in Mele, “Aristotle’s Wish”, 140.

tentatively located by Aristotle in the rational part of the soul (although it is not entirely clear how *orexis* can be divided), and it is specifically and characteristically human (*DA* III 10 433b5-12; III 9, 432b5).

The future ends that *boulēsis* has in view require the exercise of the rational part of the soul through deliberation and *prohairesis* in order to be realized, and they are ends such as health or happiness (*eudaimonia*). Health, for instance, is a goal or end rather than an action and is not realized in one act or one making. It is not an object of *prohairesis*, as Aristotle says, since we do not choose to be healthy but to walk or exercise for the sake of health; walking and exercising are the things *prohairesis* is concerned with (*EE* II, 10, 1226a7-17; 1227a19). The good (*to agathon*) is the “primary object” of *boulēsis* according to Aristotle, as opposed to pleasure which is the object of *epithumia*; however, one’s perception of the good is affected by one’s character. The vicious can mistake the pleasant for the good and so choose the pleasant thinking it is good. Therefore, Aristotle concludes that everyone wishes for what he takes to be good, which will be the apparent good. In the case of the virtuous, the good that they wish for will in fact be the real good (*NE* III 3, 1113a23-b2).¹⁴⁰ Thus, *boulēsis* is the orectic beginning of deliberation, although, as we will show, it is not the beginning of all thought directed toward action.

The link between *boulēsis* and character is important because it suggests that we have both active and passive *boulēseis*, which we will call respectively ‘occurent’ and ‘dispositional’ *boulēseis*. Each type of character has its own corresponding view of what is good or pleasant. As Aristotle says at the beginning of *NE* III, virtues are about feelings and actions, and this suggests to Alfred Mele that “the particular virtues and

¹⁴⁰ See Mele, “Aristotle’s Wish,” 140, for the “primary object” of *boulēsis*.

vices are, in part, dispositions to have wishes of certain types.”¹⁴¹ We can therefore distinguish between the desires we have presently, initiated by some exigency or circumstance and those desires which we are disposed to have and actually do have at certain times. The former are ‘occurrent’ desires, they are active and relate a present “internal happening” within us, either as sensual desire, anger, or a wish. The ‘dispositional’ desires are passive in the sense that we may not now have be moved by them or have them in mind, but they are “dispositions to have occurrent desires for things of certain types,” and this covers everything from predilections for certain foods or certain types of behavior to long term goals; everything that is from *epithumia* to *boulēsis*. If we are now asleep, we do not necessarily have our long-term career plans in mind, but we have not lost them either. Likewise, if we are in the thrall of one desire, like *epithumia*, we do not cease to have certain kinds of *boulēsis*, even in the event that the actions prompted by *epithumia* are contrary to what we wish for.¹⁴² The opposing desires are contrary but not contradictory because they are not of the same kind; it is quite possible to possess an *epithumia* which sees some object as pleasant and at the same time to have a *boulēsis* which sees the same object as bad. Moreover, because we can possess each dispositionally, we are not under contrary affections simultaneously, and we may consider each aspect of an object or a situation sequentially without entirely losing the previous state of mind or affection. In the case of wish, this also applies to higher and lower-order *boulēseis*. While we may now desire to fulfill some academic requirement to

¹⁴¹ *Ibid.*, 142.

¹⁴² *Ibid.*, p. 147-48. Mele introduces the notions of ‘occurrent’ and ‘dispositional’ desires. He also gives the example of a sleeping medical student who wishes to be a physician, but does not thereby cease to wish to become a doctor. Based on the previously cited passage from the *De Anima* on the conflict between *epithumia* and *boulēsis*, I have added the example of retaining a *boulēsis* which is contrary to a present *epithumia*.

pursue a degree, we need not have in mind the career which we will pursue with that degree, and for which we have pursued the degree. We do not cease to wish for the career although we are presently engaged with coursework.¹⁴³

The fact that we may possess wishes dispositionally implicates both a feature of the ends with which *boulēsis* is concerned and the overall structure of practical reasoning and deliberation. The ends Aristotle gives as the object of *boulēsis* are not discrete products but more or less well defined descriptions for or labels of states of affairs. These are noticeably different from the products which are instrumentally achieved by craftsmen, where a discrete product is made by means of certain instruments, materials, and skill. Yet Aristotle frequently invokes the deliberation and activities of craftsmen as an analogy for practical deliberation. David Wiggins notes this discrepancy, observing that “It is a commonplace of Aristotelian exegesis that Aristotle never really paused to analyze the distinction between two quite distinct relations.”¹⁴⁴ The two relations conflated are: “(A) the relation *x* bears to *telos* *y* when *x* will bring about *y*, and (B) the relation *x* bears to *y* when the existence of *x* will itself help to constitute *y*.”¹⁴⁵ The former corresponds to the instrumental reasoning of craftsmen; the latter seems more characteristic of practical reasoning. As we have seen with Aristotle’s own example of

¹⁴³ Here, I agree with Mele, “Aristotle’s Wish” 144, against G.E.M. Anscombe, “Thought and Action in Aristotle,” in Renford Bambrough, ed., *New Essays on Plato and Aristotle* (London: Routledge & Kegan Paul, 1965), 155. Anscombe seems to argue that for Aristotle, we must have our ultimate goal, i.e., *eupraxia*, or doing well, in mind when we do anything. This seems implausible, and, ironically, Anscombe argues in *Intention*, 2d. ed. (Cambridge, Mass.: Harvard University Press, 2000), Chapter 26, that intentions closest to action ‘swallow up’ the ones relating to the ultimate goal. Intentions build on one another, e.g., I go to class to get a degree to get a job . . . etc. Anscombe is unwilling to apply this to her interpretation of Aristotle, however.

¹⁴⁴ David Wiggins, “Deliberation and Practical Reason,” in A.O. Rorty ed., *Essays on Aristotle’s Ethics*, 224; see also Alfred Mele, “Choice and Virtue in the *Nicomachean Ethics*,” *Journal of the History of Philosophy* 19 (Oct. 1981): 410-411, for the distinction between technical and practical deliberation, products and actions.

¹⁴⁵ *Ibid.*; see also Nussbaum, *Aristotle’s ‘De Motu Animalium’*, 177, for a similar analysis of ‘constituents-of-ends pattern’.

health, the exercise we undertake to be healthy at the same time constitutes health, the well-being and functioning of the body. It may be that Aristotle's analogy of practical and technical reasoning limps considerably or that he operates with a wider notion of causality than modern interpreters, as we shall suggest below. In any case, it is clear to Wiggins that for the ends which Aristotle identifies as the objects of *boulēsis*, the "presence of a constituent of the end is always logically relevant" to it, such that it "counts as the attainment of that end." Happiness for instance is not some third thing apart from the activities which constitute it.¹⁴⁶

¹⁴⁶ *Ibid.*; see also Nussbaum, *Aristotle's 'De Motu Animalium'*, 179 for a discussion of health as a general end in reference to *Metaphysics* VII, 1032b6-9

I.4.3.5.3: The Results of Deliberation: Action and *Prohairesis*

Deliberation begins with some end, which is indefinite, and the result of deliberation does not follow of necessity from the thing wished for or desired, which is why we often involve others and take their counsel (*NE* III 3, 1112b9-12). Paradoxically it seems, the ends for which we deliberate are not also themselves objects about which we deliberate, for As Aristotle says,

We deliberate not about ends, but about what promotes ends. A doctor, for instance, does not deliberate about whether he will cure, or an orator about whether he will persuade, or a politician about whether he will produce good order, or any other [expert] about the end . . . Rather, we lay down the end, and then examine the ways and means to achieve it (*NE* III 3, 1112b13-17).

This comment and others like it in the ethical works has caused no shortage of controversy.¹⁴⁷ However, the obtuse formulation need not imply that we have fixed and irrevocable goals that we unquestioningly seek to realize over the course of our lives. Rather, as David Wiggins argues, “Such ends need not be intrinsically undeliberable ends but simply ends held constant *for the situation*.”¹⁴⁸ The idea that we lay or set down ends (*themenoi* in the passage above; *keitai* in the *Eudemian Ethics* II 10, 1226b10) suggests not so much that the ends are set for us as that we set them ourselves. As Aquinas rightly argues, something can be an end in one respect and a means in another: an end for one level of deliberation can be a means to a further end at a higher level.¹⁴⁹ This interpretation is supported by the text of the *Ethics*:

¹⁴⁷ See Henry Richardson, *Practical Reasoning about Final Ends*, chapter 1.

¹⁴⁸ Wiggins, 226.

¹⁴⁹ See St. Thomas Aquinas, *Summa Theologica* I-II, Q. 14, a. 2.

If it appears that any of several [possible] means will reach it, we examine which of them will reach it most easily and most finely; and if only one [possible] means reaches it, we examine how that means will reach it, and how the means itself is reached, until we come to the first cause, the last thing to be discovered. For a deliberator would seem to inquire and analyze in the way described, as though analyzing a diagram . . . apparently, all deliberation is inquiry, though not all inquiry – in mathematics, for instance – is deliberation. And the last thing [found] in the analysis would seem to be the first that comes into being (*NE* III 3, 1112b18-24).

Deliberation appears to resemble syllogistic demonstration, although it is not demonstration. It proceeds in a chain where the conclusion of one piece of practical reasoning features as the premise of another. The first principle of deliberation is happiness, the goal that Aristotle lays out in *NE* I. This too, however, is not something we unreflectively grasp. We must deliberate about what will count as happiness, and this is precisely what Aristotle himself illustrates in the comparisons of the various views on happiness and the three lives, culminating in his definition of happiness in *NE* I, 7.¹⁵⁰

Since deliberation is always the consideration of the means in light of some end held fixed, even if only provisionally, we must get some understanding of what ‘means’ means; moreover, such an understanding the content and scope of an intention with which an action is performed in Aristotle’s action theory. Aristotle himself uses two expressions: *ta pros ta telē* and *to pros ton skopon/to telos* (see *NE* III 3, 1112b13, VI 12, 1144a25, *EE* II 10, 1226b16). Both expressions are noticeably ambiguous; they mean simply ‘those things that are towards the ends’ or ‘that which is toward the aim/end’. Unlike the English word ‘means’ that seems to connote some discrete third thing between the agent and his end, usually an instrument, by which the end is accomplished,

¹⁵⁰ See Wiggins, 227

Aristotle's Greek expressions leave open the relationship between what is chosen and the end.¹⁵¹ As we have already seen, the ends identified by Aristotle are usually such as to be realized not instrumentally but by acts which themselves constitute the very fulfillment of the end, like health and happiness with exercise and contemplation respectively. In both of the ethical works, the things toward the end are 'directed' to it (*sunteinein*) (see *NE* VI 12, 1144a25; *EE* II 10, 1226b11). The Greek word *sunteinein*, like so many Greek words involved with choice and action, originally denoted something like 'to grasp with', as the root word *teinein* had an original meaning very similar to *haireisthai*. This is also very similar to words used in English like 'comprehend' or 'comprehension', derived from the Latin *comprehensio*, which also originally meant to seize or 'lay hold of with the hands'.¹⁵² The senses of the preposition *pros* and the verb *sunteinō* both indicate that what is chosen is that by which the end is comprehended, both as understood in the sense of practical reasoning and as realized in the sense of action.

Aristotle nowhere gives an account of how far the scope of *prohairesis* or *boulēsis* extends. As we have seen, in the case of the sailors in the storm, Aristotle views the jettisoning of cargo as instrumentally intended, even though the sailors are in some way compelled to do it, would regret doing it, and would on any other occasion not do it. The jettisoning of the cargo is for all practical purposes its destruction, and Aristotle does not make a fine point of distinguishing, as some contemporary ethicists might, the throwing-overboard from the destruction of the cargo; the former being intended, the latter foreseen. Moreover, his discussion of the effects of ignorance on action suggests that consequences beyond those directly intended are or ought to be taken into account in

¹⁵¹ See Nussbaum, *Fragility*, 297.

¹⁵² Lewis and Short *A Latin Dictionary* (Oxford: Clarendon, 1879) accessed at www.perseus.tufts.edu, the entry for *comprehensio*; see also Nussbaum, *Fragility*, 274.

terms an agent's intention and the moral assessment of that agent and his intent. The consideration of consequences is a part of an agent's intention insofar that agent acts in a fully virtuous, rationally deliberate manner; such consideration ought to be part of an agent's intention insofar as an agent's behavior is not fully virtuous. Thus, from these rather brief and terse vignettes, we can find no firm distinction between the results of a means and the means intended. The Aristotelian concept of 'means' has an indefinite extension that must it seems always be parsed out in contextual thick descriptions of acts.

While some like Wiggins argue that Aristotle confuses instrumental with constitutive means, the real conceptual confusion or mistake seems to reside in a too-rigid contemporary distinction between the two. The choice of instrument helps to determine the realization of the end aimed at and is in some sense a constituent part of the final result. Aristotle's account of action generation and assessment is holistic: the particulars of an act include the agent, his movements, his manner of execution, his knowledge, his instruments, the things acted upon, etc., etc. Aristotle does not isolate one factor, i.e., the agent's intention or *prohairesis*, as the sole basis for evaluation, although it is the pre-eminent one. Circumstances can and must sometimes intervene. What follows from an action, the desired result as well as the side-effect consequences, must be taken into account as part of a complete, thick description of the action. This is where the analogy between *praxis* and *technē* is instructive: an act is much like a work of art, and its constituent parts, including circumstances and consequences, factor into the constitution and excellence of the finished product. Likewise, as a product shows the skill of the craftsmen, an act reveals the character as well as the cognizance of an agent.¹⁵³ While

¹⁵³ See Albrecht Dihle, *The Theory of Will in Classical Antiquity* (Berkeley: University of California Press, 1982), 59. As Dihle rightly emphasizes, Aristotle, like other Greek philosophers, saw questions of choice

prohairesis is the efficient cause, and *boulēsis* is the final cause, the particulars of the act are its material.¹⁵⁴ Ultimately, however, whether and to what extent any particular circumstance or consequence is part of a *prohairesis* is left indefinite by Aristotle, which is perhaps because he thought that such things are themselves indefinite.

Returning to deliberation, we must now confront a *prima facie* conflict between the *Nicomachean Ethics* and the *De Motu Animalium* on the results of practical thinking, that is: whether the results of practical thinking are action or *prohairesis*, and whether either can include the productions of *technē*. Aristotle identifies the conclusion of deliberation (*bouleusis*) as a choice (*prohairesis*), but this is not without some difficulty: in the *De Motu Animalium* the conclusion of a practical syllogism is said to be an action, and *prohairesis* and actions are said to be distinct. To begin, in the *Nicomachean Ethics*, Aristotle identifies what is deliberated with what is chosen (*bouleuton de kai proaireton to auto*), except that, as he says, when we choose it is ‘already definite’ (*aphōrismenon ēdē*). Moreover, he says, “each of us stops inquiring how to act as soon as he traces the principle to himself, and within himself to the guiding part; for this is the part which decides” (*NE* III 3, 113a3-7). Later, he says that “what we decide to do is whatever action, among those up to us, we deliberate about and desire to do.”¹⁵⁵ This

and decision largely in terms of cognition and intellect rather than later Christian and modern philosophers who see choice and decision in terms of volitional stance or attitude: “The decision . . . cannot be grasped . . . as an act of will which is independent of the cognition involved. The definition of intentionality refers in both cases to the cognitive achievement of the acting individuals.” The intention with which the agent acts necessarily includes his cognizance and knowledge on this view.

¹⁵⁴ See Aquinas, *Summa Theologica* I-II, Q. 7 a. 1-4. Aquinas in his rendering of Aristotle’s causes of actions does not consider circumstances to be the material cause of an act, strictly speaking; however, he does make an analogy between circumstances and material accidents like the whiteness of Socrates. I draw on his interpretation here, although I believe the larger analogies Aristotle makes between *praxis* and *technē* as well as his emphasis on the distinction between prudence and science in *NE* Book VI, distinguishing the former from the latter by reference to its non-demonstrative knowledge and use of particulars, indicate that we may take particulars to be the material of action.

¹⁵⁵ I have omitted a bracketed word ‘consequently’ from before the phrase ‘desire to do’ which Irwin interpolates in his translation.

would seem to identify what is from *prohairesis* with *praxis* or action. However, in several places, Aristotle distinguishes between *prohairesis* and *praxis* and *ergon*, saying that choice distinguishes characters better than acts (see *NE* III 2, 1111b5-7; *EE* II 11, 1228a12-18). He also allows the *akratēs* to possess a “decent” (*epieikēs*) choice despite the fact that his actions are against this choice (see *NE* VII 9, 1151a33-b4; 10, 1152a7-14). There is a further complication in the *De Motu Animalium*, where the conclusion of the process of that which leads to motion is identified as an action: “the conclusion drawn from the premises [of the practical syllogism] become the action (*to sumperasma ginetai he praxis*)”; “the conclusion . . . is an action (*to sumperasma . . . praxis estin*)”; and we are also said to immediately (*eutheōs*, *euthus*) do whatever we conclude (*DM* VII, 701a12-25). We must return to the *De Motu Animalium* to examine these specific difficulties.

The illustrations of the practical syllogism in the *De Motu Animalium* are instructive for Aristotle’s account of deliberation and the place of *prohairesis*; however, the illustrations also have a wider application to non-deliberative practical thought, as we shall examine later. In the seventh book of the *De Motu Animalium*, Aristotle gives several illustrations to help answer the question of how thought generates movement. The first example of what seems to be a deliberate action is “when you conceive that every man ought to walk and you yourself are a man, you immediately (*eutheōs*) walk” (*DM* VII, 701a13-14). Here, the major premise seems to illustrate a rule, at least as some have interpreted it, but Aristotle himself at 701a24-25 says that the premises of this reasoning are of the good and the possible.¹⁵⁶ The major premise, then, is probably

¹⁵⁶ See D.J. Allan, “Aristotle’s Account of the Origin of Moral Principles.” The idea that the major premise presents a rule is the thrust of Allan’s interpretation of the practical syllogism.

shorthand for something like ‘all men should walk or exercise because it is healthy’. The minor premise then, expresses the possible, that is, that it is possible for the man in question because he is a man. The conclusion is the action of walking. The second example of a syllogism changes the major premise to “on a particular occasion no man should walk”, and we might assume that the stipulated occasion might be an injury, emergency, or even a meal; in any case, the prohibition is a terse expression that some good is to be realized or some evil prevented. The third example is more straightforward: the major premise is “I ought to create a good”; the minor premise is “a house is a good”; the conclusion is “I immediately create a house” (*DM VII, 701a16-18*) This does seem far-fetched: while one may start building a house immediately, one does not build a house immediately in the same way that walking can be immediately initiated. The fourth and final example goes some way to clear this up. Here the form is not a simple three part argument: the first part of the argument is “I need a covering, and a cloak is a covering, I need a cloak”; the second part of the argument is “What I need I ought to make; I need a cloak, I ought to make a cloak.” Aristotle then specifies that “the conclusion ‘I ought to make a cloak’ is an action (*kai to sumperasma, to himation poiēteon, praxis estin*)” (*DM VII, 701a18-20*). The making of the cloak which is begun constitutes the end of the train of practical thought, it is the conclusion. The major premise in each case, although expressed in the imperative, still expresses a good that needs to be realized, and the minor premise expresses a condition which constitutes or satisfies that good.

The account from the *De Motu Animalium* does not seem to resemble deliberation, but it is meant to model both deliberative and non-deliberative practical

thinking, as well as technical thinking aimed at production. The examples Aristotle chooses to illustrate the practical syllogism seem rather incongruous: on the one hand we have a physical movement, walking; on the other, we have complex tasks like weaving and carpentry. Moreover, he seemingly equates the immediate physical movement with actions that take multiple physical movements and multiple instances of practical reasoning. This reading, though plausible, misses the larger points of the illustration. The path to action proceeds from a desire until we have realized what we must do, initiate, or refrain from doing. For the most part, we reason with an end to doing something in the present. Most attainable long-term goals can be specified such that we can plan, schedule or begin the tasks necessary to realize them in the present or the near future. We are moved by a combination of desire for some good and reasoning, which includes the knowledge, know-how, and cognizance of circumstances, etc., which will allow us to realize the desire. The reflective person is aware of what he needs to be doing to accomplish his goals, even if what he needs to be doing now is waiting. The analogy between practice and theory expressed in the analogy is imperfect because while the theoretical syllogism has a necessary and precise conclusion, the practical syllogism cannot match the theoretical syllogism either in its necessity or its precision.¹⁵⁷ It is clear that neither cloak-making nor house-building is a simple action, executed like walking. Rather, as Martha Nussbaum argues, the agent concludes his reasoning, ‘setting himself’ to his goal and the action required for it, and “from now on, he will take whatever steps are in his power towards its realization. What is important is not the propositional conclusion, but that the agent embarks on the activity of cloak-making – an activity that

¹⁵⁷ Nussbaum, *Aristotle's 'De Motu Animalium'*, 191-193.

may, of course, include further deliberative steps.”¹⁵⁸ Action tends to result from our thought; it reflects the psychic causes, desires and beliefs, which caused it, unless there is some impediment.¹⁵⁹

Another thing to notice about the examples that Aristotle uses in his illustration of the practical syllogism in the *De Motu Animalium* is that the verb *prattein*, normally translated as ‘to do’ or ‘to act’, is also used as the verb in the conclusion of the practical syllogism. This is significant because while *praxis* is taken to denote the sphere of moral action distinct from *technē*, which encompasses things produced, Aristotle does not use the root verb of *praxis* for the narrow purpose of denoting moral as opposed to productive actions. In both of the main treatments of the practical syllogism, the first for thought that takes some time to lead to action and the second for action that results quickly without deliberation, *prattein* and even *praxis* are used to denote both actions and productions with no apparent inconsistency signaled by Aristotle. In the first passage, *DM VII*, 701a6-25, the conclusion of the practical syllogism is said to be an action or *praxis*, and this includes ‘the making of a cloak’ (*to himation poiēteon*), which is identified as an action (*praxis estin*). Likewise, in the latter passage on quick action, *DM VII*, 701a25-b1, that “such things as we do (*prattomen*) without calculation (*me logisamenoi*) we do (*prattomen*) quickly.” The verb *poiein*, to make, is also used to describe the same thing. Only in the last line of this passage does Aristotle distinguish making (*poiouai*) from doing (*prattousin*), but he introduces this distinction by locating these among the movements of things “which desire to act (*prattein*)”. Therefore, it is clear that *prattein* and by extension *praxis* do not always denote action subject to moral

¹⁵⁸ *Ibid.*, 194-95.

¹⁵⁹ *Ibid.*, 206.

evaluation, although they may strictly. In a wider sense, they can indicate voluntary action, not just deliberate action. This range of meaning is similar to the range of meaning of *prohairesis*, as we shall show below.

The puzzle we face in trying to determine whether the conclusion of deliberation is a choice (*prohairesis*) or action (*praxis*) is not insurmountable, nor are the options mutually exclusive: The conclusion of a deliberation can be both a *prohairesis* and an action. They are intelligibly distinct but one in fact. If we have deliberated effectively, then we have reached the point where we have identified what we must do or refrain from doing, what we must ‘set’ ourselves to. The action or course of action which results is done with the cognizance that it is to fulfill some wish or end, and it is done in such a way that what the agent does is held by him to efficaciously cause or constitute this end. The physical movement is caused by the psychological process, the interaction of belief and desire. If the task is complex, the further actions which will come about through further deliberation will have reference to the original end and the history of the agent’s acts and beliefs about the end and his actions. *Prohairesis* seems similar to what Anscombe talks about as the “further intention with which” an action is performed; however, it is more specific than that. As Anscombe discusses the ‘further intention with which’ an action is performed, it comprehends the end or goal of the action, the purpose the agent gives or would give for his action if asked.¹⁶⁰ *Prohairesis* surely does have reference to an end, as Aristotle says in numerous places, but *prohairesis* comprehends more than the end. The ‘choice’ of an action is also that intention which informs the performance of the action itself, the awareness and the cognizance, and we might even

¹⁶⁰ Anscombe, *Intention*, 24; see also Roger Teichman, *The Philosophy of G. E. M. Anscombe* (Oxford: Oxford University Press, 2008), 43-44.

add the expertise, that is the basis for the execution of the action itself. It is, as Alfred Mele aptly calls it, the “proximate efficient cause of action,” the nearest intention which moves the agent.¹⁶¹ A *prohairesis*, in the main sense that Aristotle speaks of it, is the result of a stable character, virtues and vices, which comprehends both the purpose and the manner of an action. We must remember that not all deliberations end fruitfully in choice and action and not all actions are the result of deliberation and choice (*EE* II 10, 1226b14-25; *NE* III, 2, 1111b8-11).

The proximity to action is the key feature which differentiates *prohairesis* from *boulēsis*. As Aristotle says: “The principle of an action – the source of motion, not the goal – is decision; the principle of decision is desire and goal-directed reason” (*NE* VI 2, 1139a31-32). Here we have a precise description of *prohairesis* in terms from Aristotle’s larger philosophical framework. The ‘source of motion’ is the moving or efficient cause in Aristotle’s list of the four causes from the *Physics*. This he emphatically distinguishes from the goal or ‘the for the sake of which’ (*to hou heneka*), which is the final cause. Thus, *boulēsis* or wish is the final cause of an act, since it is concerned with the end for which we act; *prohairesis* is the moving cause of the act. As such, *prohairesis* is intimately and immediately involved in bring an action forth, in its execution and performance, while *boulēsis* is farther removed, mediated by deliberation about the particular circumstances an agent finds himself in. *Boulēsis* is first in the order of thought and also in the order of actuality, since we begin any action thinking about what it is that we have to do or achieve and the action is completed in the achievement of the end. *Prohairesis* is last in the order of our thinking and in the order of actuality because it is the last thing we arrive at in our reasoning and it is dependent upon the end; the

¹⁶¹ Mele, “Choice and Virtue in the *Nicomachean Ethics*,” 405.

action is only decided upon because of the end. However, *prohairesis* is prior to the end for which we act in the order of its realization, in the order of time, because it is only through the action that the end is achieved or realized. Thought concerned with an end, as distinct from thought in general which includes the sciences, is both the principle of action and production; thought presents the goal, and human beings are capable through thought, through the use of the intellect, to form conceptions of the ends for which they act over and above the perceptions of pleasure, which animals are capable of through sense, imagination, and desire. So, Aristotle concludes, “That is why decision is either understanding combined with desire (*orektikos nous*) or desire combined with thought (*orexis dianoētikē*); and this is the sort of principle that a human being is” (*NE* VI 2, 1139a35-b6). Specifically human action proceeds from the essence of humanity, which is rational animality. The efficient cause of a thing follows from its form or essence. Human beings are beings with this composite and mixed nature, rational and desiring beings. The principle of our actions will thus also be composite. As we shall demonstrate below, *prohairesis* is just such a composite cause of human actions.¹⁶²

¹⁶² I conclude that *prohairesis* is a composite entity, *contra* Mele, “Aristotle’s Wish,” 151-55, because here, as elsewhere, Aristotle describes it as such. He is quite loath in the *De Anima* to hypostatize capacities of the soul, and even where he tentatively announces divisions, he also allows that different parts of the soul are present in one another (see *DA* III 9, 432b3-7). We will examine this further below.

I.4.3.6: *Prohairesis* as a Composite Mental State or Capacity¹⁶³

Prohairesis' composite nature is of considerable importance for contemporary debates about the roles of and relationship between desire and intention. As we shall examine at greater length in the second part of the dissertation, many contemporary philosophers involved in the debate surrounding the Simple View wish to strictly separate desire from intention. Mele, whom we have already cited, has made contributions both to Aristotelian exegesis and to the contemporary discussion of desire and intention. He also makes a rather unusual claim that *prohairesis* is not in fact a composite faculty. We pause here to examine the claim, its merits, and the consequences of its acceptance or rejection. We will argue that *prohairesis* is in fact a composite of *orexis* and *nous*, or desire and reason, joined in the process of deliberation.

At the conclusion of his article "Aristotle's Wish," Mele argues that there are three possible ways of relating *prohairesis* to *orexis*: 1) "Choice is a compound phenomenon having wish as a constituent"; 2) "Choices are caused by deliberation engaged with a view to a wished for end, but they are not even in part wishes or desires of any sort"; and 3) "Choice is, in part, a desire, but the orectic element in a choice is not meant to be a desire of any of Aristotle's three types."¹⁶⁴ Noting that Aristotle never makes a definite statement on the relationship of *prohairesis* to the types of *orexis* and that there are strong textual considerations – like the ones we have already cited – in

¹⁶³ I hesitate to use the phrase 'mental state' so common in contemporary philosophy of mind, since for Aristotle a state is a *hexis* or disposition, especially of character. Aristotle speaks of the kinds of *orexis* and *prohairesis* in terms of capacities and activities, active powers; whereas state connotes something passive and inert.

¹⁶⁴ Mele, "Aristotle's Wish," 152-54; J. Burnet, *Ethics of Aristotle* (London: Methuen, 1900), 132; cited in Mele, "Aristotle's Wish," 152.

support of the first thesis, as well as important support among various interpreters of Aristotle, especially Burnet, Mele states that he is inclined to choose the second or third options over the first.¹⁶⁵ Why he is inclined to choose these options is not immediately clear, nor does Mele argue for them beyond stating his preference. However, in light of Mele's other work, which is centered on defending intention and intending as "non-compound attitudes" which do not have any other kind of attitude as a part, as well as his emphasis in the conclusion of the article on *prohairesis* as the source of Aristotelian autonomy, we can make some hypotheses.¹⁶⁶ In his wider work, Mele argues that if intention is a composite entity, it is reducible to its component parts.¹⁶⁷ Applying this to Aristotle, Mele would find the composite nature of *prohairesis* problematic because, for him, that would make it reducible to desire or *orexis* and thought. We might further surmise that, as many contemporary philosophers do, Mele makes little distinction between belief and knowledge, the latter merely being a justified version of the former, which would make the rational component of *prohairesis* the equivalent of justified true belief. Since Mele feels that *prohairesis* is a type of intention, it seems that we can infer that he believes *prohairesis* cannot be composite since it could not then fulfill its action-causing role.¹⁶⁸

While we will examine Mele's larger claims more thoroughly in the second part of the dissertation, we are at the moment able at least to eliminate the interpretative options that he prefers with respect to the psychological place of *prohairesis*. First, Aristotle explicitly describes *prohairesis* as a composite entity: it is either a *bouleutikē*

¹⁶⁵ *Ibid.*, 154.

¹⁶⁶ Mele, *Motivation and Agency* (New York: Oxford University Press, 2003), 138.

¹⁶⁷ Mele, *Motivation and Agency*, 135; *Springs of Action: Understanding intentional behavior* (New York: Oxford University Press, 1992), 54-56.

¹⁶⁸ Mele, *Motivation and Agency*, 135.

orexis, *orexis dianoētikē*, or *orektikos noûs* (*NE* III 1113a10-13; VI 2 1139b4-5). Second, we may eliminate the second interpretative option because, as we have seen in the *De Anima* and *De Motu Animalium*, desire is the psychological cause of motion; without desire, thought moves nothing. Third, we may eliminate the third interpretative option because in no work does Aristotle name another kind of desire than the three he specifically names, *epithumia*, *thumos*, and *boulēsis*, and this tripartite division of desire, as we have seen, is consistent between the ethical and psychological works. Ultimately, however, there are two more fundamental objections we must make to Mele's interpretative suggestions. First, we must object to the possibility of action in the absence of desire. Mele's own theory of intention allows for precisely this possibility, and this seems to motivate his interpretation of Aristotle.¹⁶⁹ However, in an Aristotelian framework, action without desire would be inexplicable. Second, we must object to the notion, expressed not in "Aristotle's Wish," but in Mele's and other contemporary philosophers' works, that composition entails reducibility. Or, more specifically, we must reject the notion that conceptual composition entails actual psychological reducibility. The single entity, *prohairesis*, may have orectic as well as rational parts, but it exists as a distinct psychological cause in its own right. Elsewhere, in Book I, chapter 13 of the *Nicomachean Ethics* and Book III, chapter 9 of *De Anima*, Aristotle feels no compunction in allowing different psychological powers to overlap: all talk of distinct and separable parts of the soul is in some sense equivocal (*NE* I 13, 1102a27-30; 1102b15-25; *DA* III 9, 432b3-7). We will take these fundamental issues up again in the second part of the dissertation.

¹⁶⁹ Mele, *Motivation and Agency*, 170-71.

I.4.3.7: How *Prohairesis* Follows from Practical Reasoning

We must return now to the etiology of *prohairesis*, specifically the manner in which it follows from practical reasoning. The logic by which a *prohairesis* is entailed by the process of deliberation has been a matter of some controversy. As we have seen, the analogy of the practical syllogism is used for both deliberate and non-deliberate action, and it applies to animals as well. Some argue that the practical syllogism is a model of psychological causality; others, that is an unsatisfactory account of deontological entailment; others still argue that it is both logical and causal.¹⁷⁰ Aristotle's illustrations of the analogy in the *De Motu Animalium* suggest that it does have a causal element, since the analogy is used to illustrate motion in the absence of rational thought. However, it seems also to have a logical element because it also mirrors the structure of rational deliberation. Some light may be shed on this by examining the nature of the theoretical syllogism itself. Alexander Broadie in his article "Aristotle on Rational Action," notes that Aristotle explains the relationship between the premises and the conclusions of syllogisms in two ways. In the *Posterior Analytics* I 2, 71b20-35 and II 11, 94a20-24, the premises are said to give rise to and entail the conclusion through the essential or formal cause. In the *Physics* II 3, 195a15-20, the premises are described as 'as that from which' the conclusion arises, which is the usual descriptive phrase of

¹⁷⁰ Nussbaum occupies the first and third of these positions: the first position in her older work, *Aristotle's De Motu Animalium*; the second in her later work, *The Fragility of Goodness*. D.J. Allan, "Aristotle's account of the Origin of Moral Principles," takes a deontological view of the practical syllogism, which has spawned numerous criticism (see Wiggins, "*Deliberation and Practical Reasoning*," and Mele, "Choice and Virtue in the *Nicomachean Ethics*"). Anscombe while not taking a deontological view fails to see how the practical syllogism entails any action. R.D. Milo, in *Aristotle on Practical Knowledge and Weakness of Will* (The Hague: Mouton, 1966), 51, argues that we are "psychologically constrained." I am indebted to Alexander Broadie, "Aristotle on Rational Action", *Phronesis* 19 (1974): 73, for this citation.

material causality.¹⁷¹ In one way, that of the *Analytics*, the premises “provide the explanatory principle, namely, the middle term, and the conclusion must be regarded as the matter that is structured by the premises.”¹⁷² Formal causality figures here because it is the essence or form, the definition of which contains and universally distributes the middle term and figures as a premise, which allows scientific knowledge to be produced by the syllogism. In a different way, that of the *Physics*, Aristotle seems to discuss the component terms of the syllogisms, for instance ‘mortal’ and ‘man’, as the building blocks out of which the conclusion, e.g., ‘Socrates is mortal’, is generated. The subject and predicate terms are “considered not as judgments but as elements in the world” which build the conclusion.¹⁷³ Broadie wishes to draw the larger conclusion that the mode of demonstration in the *Analytics* gives us the order of knowing, the conclusion there stems from knowledge of the essence or form, while the description in the *Physics* gives us the order of being, the conclusion stems from the ‘real’ elements out there in the world.¹⁷⁴

We do not need to endorse the conclusion that Aristotle is distinguishing between the order of knowing and the order of being with these comparisons to affirm the importance of the difference in descriptive language in both works. The primary problem with Broadie’s interpretation is that the elements to which he refers in the *Physics* are not ontologically basic. As Aristotle affirms in the *Metaphysics*, the most ontologically basic elements of reality are substances, ‘substance’ being primarily the essence or form, because it is the principle of actuality which causes any individual to be what it is. Likewise, the essence is the medium of demonstration such that the demonstration

¹⁷¹ A. Broadie, “Aristotle on Rational Action,” 76.

¹⁷² *Ibid.*

¹⁷³ *Ibid.*, 77

¹⁷⁴ *Ibid.*, 77-80.

replicates the order of being, the order of actuality. In Aristotelian science, especially as discussed in the first book of the *Metaphysics* and Book II, chapter 19 of the *Posterior Analytics*, the order of knowing corresponds to the inductive process, the acquisition of universals through sensation, experience and intellect. The order of knowing is not exhibited in the demonstration; rather demonstration starts from the first principles, the last things grasped in the order of knowing. The conclusion of a demonstration is usually considered to be the first thing in the order of being. Be that as it may, we can see the point in speaking of the premises as the material from which the conclusion is generated. The premises are the constituent parts of the linguistic argument used to signify a demonstration, and the end of such a demonstration is the knowledge exhibited in the conclusion.¹⁷⁵ The linguistic premises are that from which the conclusion is made; what the premises represent, however, are the formal and essential causes of the conclusion. In practical thought, as Broadie rightly argues, the conclusion of a practical syllogism, a choice in the case of deliberation, does make the premises with which we began our thinking definite in two ways. First, the action or choice fixes our desires and beliefs in a definite relation, it unifies and commits us to them as the end (see also *NE* III 3,1113a3-7). Second, and most importantly, the action or choice is like matter informed by our ends, beliefs and desires. Our ends and desires are non-specific and the choice or act individuates them in the moment of action, just as matter is the principle of individuation. In this second sense, the act or choice constitutes our ends and desires. Likewise, the causality by which the choice is generated by our desires is analogous to the logical entailment of the syllogism. Assuming we have desires and beliefs of such-and-such a

¹⁷⁵ Aristotle, *Posterior Analytics*, *The Loeb Classical Library: Aristotle in Twenty-Three Volumes*, vol. 2, trans. H. Tredennick (Cambridge, Mass.: Harvard University Press, 1960). See also Nussbaum, *Aristotle's 'De Motu Animalium'*, p. 186, for a description of the syllogism as a linguistic device.

sort, an action of such-and-such a sort follows; Nussbaum calls this “hypothetical necessity.”¹⁷⁶ We must remember, too, that the practical syllogism is an analogy: practical thought does not involve actual scientific or demonstrative syllogisms; the conclusions of practical thought are not necessary or certain. Likewise, as we have shown above, Aristotle also uses the practical syllogism to describe the broad range of animal behavior, which includes brutes. As Aristotle says in the *Physics*, the formal, final, and efficient causes usually coincide in fact, although they are intelligibly distinct. Like *orexis*, *prohairesis* is described as an efficient or moving cause; however, in another sense, *prohairesis* is obviously the end or *telos* of deliberation as a process, in the sense that it is the culmination. Aristotle is happy with this kind of ambiguity both in *Ethics* and psychology; however, these relationships are obviously not mutually exclusive, and we must keep them in mind. *Pace* Wiggins, Aristotle does not necessarily conflate two types of causality; rather, the means/end formulation of the causality of *prohairesis* is consistent with the senses of ‘cause’ in Aristotle’s philosophy.

In conclusion, we have moved a step closer in our identification and description of Aristotle’s concept of *prohairesis* by analyzing its origin and the process of its development, although more work remains. First, we have shown how *boulēsis* characteristically intends ends of a general sort, whose satisfaction is carried out by means which are not wholly instrumental or external but rather constitutive of them. Second, we have shown how we may have both dispositional and occurrent *boulēseis*, which explains how we may retain a wish that we are not presently acting on. Third, we have shown how the conclusion of a piece of deliberation can be both a *prohairesis* and

¹⁷⁶ See Nussbaum, *Aristotle’s ‘De Motu Animalium’*, 177-79, for a discussion of ‘hypothetical necessity’ linked to *Metaphysics* Δ 4, 1015a20.

an action, as *prohairesis* is the proximate cause or intention by which and with which the action is performed. Fourth and finally, we have examined the process and structure of deliberation and shown that it is both a causal and logical explanation of how action or movement is caused by desire.

I.4.3.8 Kinds of *Prohairesis* and Other Intentions

We have come nearly to the end of our investigation of *prohairesis* in Aristotle, and have given an account of its genesis and relation to action. However, one key relationship remains to be examined, and that is the reciprocal relationship between *prohairesis* and character. *Prohairesis* is the imprint of character on action, as Aristotle calls virtue of character as a *hexis prohairetikē* or a “state that decides” (NE II 6, 1107a1). We will argue that Aristotle differentiates types of *prohairesis* by types of character, and this differentiation applies not just to its moral evaluation but also to its efficacy and relation to action. Aristotle emphasizes virtue’s role in shaping ends which explains virtue’s effect on *prohairesis*. Likewise, he distinguishes virtue and true deliberation from cleverness and mere calculation, attributing *prohairesis* to the former pair and not to the latter. We will show that, like *boulēsis*, *prohairesis* has both dispositional and occurrent modes. This is illustrated by Aristotle’s account of the *prohairesis* of the *akratēs*, or incontinent man. We will show how Aristotle’s account of incontinence or *akrasia* has two parts: one is an account of a particular kind of ignorance, the other is an account of action generated by *epithumia*. In both cases, deliberation is short-circuited by a type of *orexis*. In spite of the fact that the incontinent either fails to act on his deliberation or fails to deliberate at all, Aristotle says that he possesses a decent choice, and this will be where a dispositional sense of *prohairesis* will be indispensable to an interpretation of Aristotle’s account of incontinence.

Aristotle’s account of the relationship between *prohairesis* and character is also of wider significance for theories of intention and intentional action. The differentiation of

different types of *prohairesis* and the influence of other types of *orexis* upon human action illustrate the wide range of intentionality in action. The relationship between intention and intentional action is at once straight-forward and frustratingly complicated. From an Aristotelian standpoint, every intentional action is intended; however the manner in which it is intended can vary considerably. Some actions are intended after rational deliberation; some are intended impulsively; and still others are premeditated but driven more by lower-order, unreflective and unreflected-upon desires than by rational, deliberate desires. The interaction between different types of desire and different levels of intentionality produces different types of intentional action. An Aristotelian account describes the indefinite range of human intentions, from the most rational, deliberate, and conceptualized to the most basic, impulsive and brute without reducing the latter to the former or excluding the latter because they do not resemble the former. As we shall see in the second part of the dissertation, such an account of the range and quality of intention will allow us to tackle a number of problems in contemporary action theory.

Aristotle's discussion of prudence in Book VI is crucial to understanding the relationship between character and action. Prudence is no mere crass reckoning of any means to any end one likes; prudence involves an intelligent grasp of the true human good as well as the proper means to achieve it. This grasp is in some ways 'universal' or general, as Aristotle's discussion of the prudent man and comprehension reveals, but it is also inescapably linked to the successful choice of particular means, to excellence in execution not just design. This is brought out in his discussion of good deliberation (*euboulia*), which is contrasted with mere calculation (*logistikē*) as well as the distinction between prudence and cleverness. Good deliberation is not merely calculation in view of

achieving an end; it is calculation proceeding from a correct understanding of the correct end of human life. Likewise, while prudence requires a native practical intelligence, i.e., cleverness, it is more than cleverness. Cleverness is an ability to achieve an end to which one sets oneself; however, prudence is the acquired knowledge of how to achieve the proper human end (*NE* VI 9, 1142a30-b33; 12, 1144a25-b1).¹⁷⁷

What Aristotle's treatment also suggests is that other character types, namely the continent and incontinent, may possess these skills without having them sufficiently for prudence or, as we shall see, for a true *prohairesis*. While the virtuous and vicious begin their practical thinking from fixed dispositions and conceptions of the good, and choose on the basis of a deliberation from those conceptions, the continent and incontinent have inconstant dispositions, more or less prone to being overcome by pains or pleasures about certain objects. An incontinent person may be effective in acquiring the object of that strong transient desire -- he might be quite clever and calculative and in ordinary English we would even say deliberate. Yet Aristotle wishes to distinguish this kind of calculation from the good deliberation of the prudent person.¹⁷⁸

Deliberation must be distinguished not only from mere clever calculation but also from other forms of thought directed to action, since there are some character types who either fail to deliberate or abandon their deliberation. Following his account of prudence,

¹⁷⁷ See Daniel T. Devereux, "Particular and Universal in Aristotle's Conception of Practical Knowledge," *Review of Metaphysics*, 39:3 (Mar. 1986): 483-504, especially: "Practical wisdom, in Aristotle's view, is not a practical science like medicine or rhetoric; it is more like medical or rhetorical skill: it is an instance of practical knowledge," 497.

¹⁷⁸ The fact that some character types are not capable of true *prohairesis* is explicitly stated in the *Eudemian Ethics*: "Therefore the faculty of purposive choice is not present in the other animals, nor in man at every age nor in every condition, for no more is the act of deliberation, nor yet the concept of cause." Many men, Aristotle argues, are capable of forming opinions about action, even their own prospective actions, whether to do this or that, but they have this doxastic ability "without also having the power of forming this opinion by process of reasoning" (*EE* II 10, 1226b14-25).

Aristotle examines the deviations from virtue, and spends the most time on *akrasia* or incontinence, which presents several important problems to an account of human action that must be overcome. In contrast to the virtuous and continent, the incontinent person seems to abandon his rational calculation because of feeling (*NE* VII 1, 1145b9-14). This observation, however, must meet an immediate challenge: Socrates denied that there was any such thing as incontinence “for no one . . . supposes while he acts that his action conflicts with what is best; our action only conflicts with what is best because we are ignorant” (*NE* VII 2, 1145b21-27). Aristotle conclusively rejects Socrates’ denial of the existence of incontinence, but he does not reject the premise that the incontinent person must be ignorant, in a certain way (*NE* VII, 2, 1145b28-31). The clarification of akratic ignorance will serve to answer Socrates’ objection and give a clear account of *akrasia*, and in so doing it will also serve to delineate the various types and levels of intentionality in human action apart from fully rational, deliberate desires and actions.

Following a dialectical digression into opinions about continence and incontinence, Aristotle’s first constructive remarks about incontinence immediately relate his discussion of deliberation and *prohairesis* to an account of knowledge and ignorance. Incontinence and intemperance concern the same range of actions, but they differ in that “the intemperate person acts on decision when he is led on, since he thinks it is right in every case to pursue the pleasant thing at hand; the incontinent person, however, thinks it is wrong to pursue the pleasant thing, yet still pursues it” (*NE* VII 3, 1146b19-24). The intemperate person’s actions in the pursuit of pleasure spring from his decision and ultimately from the set disposition of his character, while the incontinent person acts in

spite of or without his decision, against what he considers to be good. So how is it that the incontinent person knows what is good?

The paradox here seems to result from the ambiguity surrounding the knowledge that the incontinent person has. As we have already seen, Aristotle claims that someone may be said to know something in at least two ways. In the first way, one possesses knowledge which one is also using or uses at the appropriate time; in the second way, one possesses knowledge which one is not using or does not use at the appropriate time. To possess (*echein*) knowledge does not require us to use (*chrēsthai*) it or to attend (*theōrein*) to it (*NE* VII 3, 1146b32-33).¹⁷⁹ Among those who possess but do not use their knowledge Aristotle includes those who are insane, drunk, asleep or who are affected by strong passions (*NE* VII 3, 1147a10-19). In these cases, one may be said to have knowledge but also, in some way, not to have it (*echein kai pōs mē echin*) (*NE* VII 3, 1147a14). Incontinence falls within this class of ignorance because it results from the effects of strong feelings: “For spirited reactions, sexual appetites, and some conditions of this sort clearly disturb the body as well, and even produce fits of madness in some people. Clearly, then, we should say that they have knowledge in a way similar to these people” (*NE* VII 3, 1147a10-18).

Aristotle seems to be relying here on a distinction he makes in many places, that is, the distinction between act and potency, in this case, with respect to knowledge. In the *Metaphysics* Book Θ, chapter 3, Aristotle argues against the Megarians who insist that a

¹⁷⁹ I will be offering an account of *akrasia* that suggests the akratic is overcome by non-rational desires. This is in line with Aristotle’s comparison of *akrasia* to epilepsy as well as most interpreters, from Aquinas to the present. For alternative views which argue for “clear-headed” incontinence, see S. Broadie, *Ethics with Aristotle*, 292-297; Charles, *Aristotle’s Philosophy of Action*, 117-32. For a discussion of the importance of the verbs *theōrein* and *chrēsthai* in Aristotle’s account of *akrasia*, see S. Broadie, *ibid.*, 295; footnote 24, 310. In my opinion, clear-headed incontinence would simply be vice.

potency only exists when it is in act. Thus, according to the Megarians, “he who is not building is not able to build, but he can build only when he is building and similarly with others” (*Meta. Θ 3*, 1046b31-32).¹⁸⁰ The refutation of this position, according to Aristotle, is obvious. Under the Megarian theory, learning or forgetting would be impossible, and if the builder ceased building he would never be able to build again, he being unable to learn the necessary art; likewise it would be impossible to acquire the art in the first place, and therefore he could never build. This applies to any potency, and not just knowledge and art: no thing would be able to change from the state it is currently in because it would only have the potency to be what it is now (*Meta. Θ 3*, 1047a2-7). In the case of knowledge or art, Aristotle observes that we may lose what we have learned “either through forgetfulness or through some affection or through lapse of time” (*Meta. Θ 3*, 1046b35-1047a2).¹⁸¹ Since the incontinent suffers from inordinate passions, it seems safe to say that he has whatever ethical knowledge he has relevant to his present predicament in a potential way. Even granting that one possesses knowledge, of whatever sort, it does not follow that knowledge is actualized at every moment or even the right moment. With respect to ethical knowledge, it seems quite possible to have a potential grasp of what is good, without that knowledge being actual or, in other words, without attending to that knowledge in the moment of action. Aristotle’s account runs contrary to what we might call a behaviorist account of ethical knowledge, where knowledge is not only exhibited in an ethical performance but is nothing other than the tendency to perform acts at certain times in a certain way. While ethical knowledge, like any kind of knowledge, is exhibited in one’s actions or performances, it does not follow

¹⁸⁰ I use Apostle’s translation for the citations from *Metaphysics* Θ 3 for its clarity. See *Aristotle’s Metaphysics*, trans. H. G. Apostle, (Grinnell, Iowa: Peripatetic Press, 1979).

¹⁸¹ I have here used the Apostle translation for the English and the Loeb for the Greek.

that it is nothing other than those acts or tendencies to act; cognizance and skill are involved. Passion seems to disable the incontinent agent's weak dispositional ethical potentials and the commitments he has in the absence of pleasure.

The distinction between actual and potential kinds of knowing is complemented by a distinction between the kinds of things one might be said to know. This is similar to Aristotle's treatment of knowledge in many places. Even supposing that we have the knowledge relevant to a particular situation, it does not follow that we recognize the particular individual or case as falling under that knowledge.¹⁸² In demonstration and, by analogy, practical thinking, there are two kinds of premises: universal and particular. One's actions might conflict with knowledge of a particular premise, e.g., that some item of food is in fact of an unhealthy type, but be in line with knowledge of a universal premise. This type of mistake is not trivial because "it is particulars that are achievable in action", and the particular is the object of *prohairesis*, since *prohairesis*, as we have seen, is always a choice of a *this*. Aristotle gives an example from Greek dietary prescriptions:

Perhaps, for instance, someone knows that dry things benefit every human being, and that he himself is a human being, or that this sort of thing is dry; but he either does not have or does not activate the knowledge that this particular thing is of this sort. These ways [of knowing and not knowing], then, make such a remarkable difference that it seems quite intelligible to have the one sort of knowledge, but astounding if he has the other sort (*NE* VII 3, 1147a1-9).

If we reconstruct this passage in terms of a syllogism, we see that the universal premise would be something like 'All dry foods are good for human beings' and the agent already knows that he is a human being. Further unstated premises seem to be that the agent is

¹⁸² See *Post. An.* I 1, 71a12-28, for precisely this example. There Aristotle contrasts knowledge of the properties of a triangle with the recognition of a particular instance of a triangle.

also hungry and also in an appropriate situation to eat, having the appropriate time and means to do so. The particular premise of this syllogism would state ‘This thing here is a dry food’. It does not seem problematic that the agent might know all dry foods are good and not know that this particular food is dry. His abstention from eating this particular food would be entirely explicable in terms of this kind of ignorance. However, it would be fairly astounding, all things being equal, for the agent both to know dry foods are good and that this is a dry food and then not eat it, given an appropriate desire to eat and the means to do so.

The argument above seems only to make epistemological room for what is Aristotle’s main psychological account of incontinence, which involves the disabling of the major, universal premise. So he returns to his first distinction between actual and potential kinds of knowing, and speaks of cases of “having without using.” As we have seen, this type of ignorance includes insanity, sleep, and drunkenness because people in these conditions have potential knowledge without using it. Incontinence is most similar to these kinds of ignorance because incontinence results from the effects of strong feelings (*NE* VII 3, 1147a10-18). Merely reciting ethical prescriptions is no sign of the possession of real ethical knowledge, which is virtue. Aristotle’s example is that of people who can recite mathematical, geometrical or scientific demonstrations, verses of poetry or philosophy when affected by madness, drunkenness, or even, perhaps, in their sleep. Likewise, students just learning a subject may successfully parrot their teachers, especially in the use of words, but this is not the same as possessing the full disposition which true knowledge entails “for it must grow into them, and this takes time.”

Therefore, “we must suppose that those who are acting incontinently also say the words in the way that actors do” (*NE* VII 3, 1147a19-23).

The effect of the passionate desires, particularly *epithumia*, can be more insidious but less crippling on one’s practical reasoning than madness or drunkenness: We can attend to a universal but have it replaced. Knowledge which was in act can be lowered to mere potency by the power of the irrational passions. Aristotle describes this happening in the following way:

Suppose, then, that someone has the universal belief hindering him from tasting; he has the second belief, that everything sweet is pleasant and this is sweet, and this belief is active; but it turns out that appetite is present in him. The belief, then [that is formed from the previous two beliefs] tells him to avoid this, but appetite leads him on, since it is capable of moving each of the bodily parts (*NE* VII 3, 1147a32-35).

Appetite, by itself, as in the case of animals or children, is capable of being a motive force. The person under the influence of appetite does not conclude via rational deliberation that he should eat sweets; rather, he acts on the basis of appetite. The appetite does not alter the original belief he may hold prior to its influence; it replaces it. Although the sweet thing involved in this particular choice may be harmful, its sweetness is still pleasant, and under that description it seems good. Appetite forces the original belief about the goodness or badness of sweets out, and makes the pleasure of the sweet thing the guiding light of the agent. Thus, the interaction of reason and belief can explain incontinence.

The two beliefs about the sweet thing are not in themselves contrary: one makes an assertion about its badness in a deliberate, rational sense; the other, about its pleasantness. The second belief, therefore, as Aristotle concludes, is contrary to reason

only when it also coincides with an appetite contrary to *boulēsis* or reason. It is the appetite which is contrary to the original, correct belief in its own right. And this is why Aristotle argues that beasts cannot be incontinent, because there is no conflict between appetite and a universal supposition, like a rational belief. Animals only have the appearance of things and memory of particulars, especially pleasure and pain; whereas human beings have the ability to make rational judgments about the goodness or badness of things in relation to their ultimate end and not simply on the basis of pleasure and pain (*NE* VII 3, 1147b1-5). Ultimately, since the incontinent person does not seem to know the relevant particulars or see them in light of the correct supposition on the basis of a strong appetite, Socrates' position about error arising from ignorance seems to be true in a qualified sense, "For the knowledge that is present when someone is affected by incontinence, and that is dragged about because he is affected, is not the sort that seems to be fully knowledge, but it is only perceptual knowledge" (*NE* VII 3, 1147b14-18).

We need to note here that Aristotle's main account of incontinence does not resolve simply into an ignorance of particulars. Although the structure of his argument is rather confusing, he speaks of the influence of *epithumia* replacing the major premise of a practical syllogism as well as its effect on our perception of the particulars under that major premise. This is distinct from his earlier argument about universal and particular knowledge and ignorance because here the particular premise is neither changed by desire nor simply unknown to the agent. The incontinent has his original major premise knocked out and replaced by a new one which re-characterizes the same minor premise and the particular information represented by it. As such, the action proceeds not from *boulēsis*, which is represented by the original major premise hindering the incontinent

from tasting the sweet thing, but from *epithumia*. The action is not deliberate, yet it obviously has a purposive causal structure, which would seem to be provided by imagination under the influence of *epithumia*, as we have seen plausibly described in the *De Motu Animalium* in the case of a quick action in response to thirst. The incontinent person represented by the example seems to have either begun to deliberate or to have deliberated prospectively prior to the onset of *epithumia*. As such, he either does not have a *prohairesis* or the action which follows from *epithumia* is against the *prohairesis* which resulted from his prior deliberation.

There are a number of different interpretations about this particular passage. Aquinas argues, as we have seen, that the “concupiscible appetite” (*epithumia*) moves the incontinent’s *voluntas* (*boulēsis*) to accept the new major premise.¹⁸³ Sarah Broadie, in *Ethics with Aristotle*, argues that we cannot read this account as explanatory and that what we are meant to see is that the entire deliberative and intentional framework of human action is kicked out by *epithumia*. The incontinent person, therefore, does not deliberate at all.¹⁸⁴ Others see Aristotle’s description of particular ignorance as allowing the typical incontinent in each instance to utilize the proper principle but fail to recognize that the particular situation falls under the general rule.¹⁸⁵ These interpretations seem wrong for several reasons. In the first case because Aristotle does not describe the incontinent’s action as arising from *boulēsis*. In the *Eudemian Ethics*, on the contrary, he describes the incontinent’s action as contrary to his *boulēsis*. He also does not say that

¹⁸³ See Aquinas, *De Malo* Q. 2, a. 9.

¹⁸⁴ S. Broadie, *Ethics with Aristotle*, 297-307.

¹⁸⁵ Kent represents this as the typical position, which she notes is opposed by N. Dahl’s argument that the incontinent both utilizes the correct general insight and recognizes that or how the particular situation falls under the general rule, but is led astray by passion. See Kent, *Virtues of the Will*, 152, and N. Dahl, *Practical Reason, Aristotle, and Weakness of Will* (Minneapolis: University of Minnesota Press, 1984), 139-224.

the incontinent's *boulēsis* is changed; rather, it seems implied that action can result without the agency of *boulēsis* through *epithumia*. In the second case because the incontinent Aristotle describes seems to have already come to some general provisional conclusion about the sweet things prior to the influence of *epithumia*, which shows the possibility of deliberation. Moreover, if the incontinent had previously deliberated, this would explain how the incontinent could act against his choice – without previous deliberation there would be no choice to oppose. We should also expect that Aristotle is offering an explanatory account of incontinence because his explanation here differs in no way from the explanatory accounts he has offered of animal motion in the *De Anima* and the *De Motu Animalium*. Finally, in the third case because Aristotle does not describe the minor premise itself being changed at all. The minor premise is the particular premise, and since that premise is the same in both the healthy and deformed syllogistic examples, it cannot explain the incontinent's deviation from the virtuous norm.

The idea that *epithumia* is capable of generating purposive action on its own, particularly incontinent action, is an interpretive option which seems difficult to accept. It would seem, in English, that every action must be chosen and furthermore that what is chosen is coextensive with what is intentional. Without reference to Aristotle's technical vocabulary, it seems that the akratic chooses, in the English sense, the present pleasure in contrast to the merits of restraint or abstention. However, we must distinguish between the connotations of English words and the specific meaning of Aristotle's Greek terms, since, strictly speaking, not every action is deliberately chosen according to Aristotle because not every action is the result of *prohairesis*. If we do not make this distinction,

our reading of Aristotle will be mired in contradiction. For if we suppose that an incontinent chooses his action in the sense of Aristotle's use of *prohaireisthai* and *prohairesis*, it would seem that his action involves *boulēsis* because *prohairesis* originates with *boulēsis* modified through deliberation. This would lead us to equate *boulēsis* with the intention *per se* as the prime mover of the akratic's action as well as action in general because of its relation to choice (*prohairesis*). Such an equation would entail two contradictory conclusions with respect to Aristotle's account of *akrasia*: 1) that akratic action is unintentional and the result of an incapacitating fit of violent desire, which hardly seems either voluntary or blameworthy, because it is either against choice or without choice (*prohairesis*); and 2) akratic action is the result of *boulēsis* and *prohairesis* because it is intentional. There is a contradiction only so long as one assumes that in order for an action to be intentional in Aristotle's terms it must be the result of *boulēsis* and *prohairesis*.

The way out of this apparent contradiction is to remember that, as we have seen, *epithumia* is a species of *orexis*, which is a particular way in which objects can be desired and intended, and that purposive, intentional action can result from *epithumia*. Moreover, we have seen how *prohairesis* or choice designates deliberate choices strictly speaking and not necessarily everything that might be called a choice in English. Therefore, incontinence can be intentional and purposive, and therefore subject to moral evaluation in the absence of *boulēsis* and *prohairesis*. Action does not cease to be voluntary because it ceases to be deliberate. Moreover, since the major premise corresponds to the end, the end replaced by *epithumia* is that of *boulēsis*. Therefore, as we have argued, it is possible to have dispositional *boulēseis* which are not occurrent. In the case of the incontinent,

their dispositional *boulēsis* either does not become occurrent because of an occurrent *epithumia* or it ceases to be occurrent because of an occurrent *epithumia*.

The relationship between *epithumia* and *boulēsis* in the example of the incontinent sweet-eater has implications for the meaning of *prohairesis*. Aristotle says several seemingly conflicting things about the incontinent, although his remarks about the vicious or intemperate are uniform. To contrast incontinence and intemperance, Aristotle remarks that although they are about the same things, pleasant and painful things, they are not about them in the same way: whereas the vicious person deliberately decides upon his actions, and thus his actions result from *prohairesis*, the incontinent are said to act “against their decision” (*para tēn prohairesin*) or to act without decision (*prohairountai d’ou*) (*NE* VII 4, 1148a6-10; 1148a17-18; 8, 1151a5-10; also 7, 1150a25-27). Aristotle clarifies the basis for this distinction in discussing the principal kinds of incontinence. One type of incontinence, arising from *epithumia*, Aristotle calls weakness, the other, arising from *thumos*, he calls impetuous or rash. A weak incontinent deliberates but abandons his deliberation under the influence of desire; a rash incontinent is “led on by his feelings because he has not deliberated,” and these people are usually called ‘quick tempered’ (*NE* VII 7, 1150b20-29). Incontinence is episodic and transient, and in the absence of passion, the incontinent person is quite capable of recognizing his failings retrospectively, as well as resolving (more or less effectively) to refrain from those actions in the future. Aristotle compares incontinence to epilepsy, which strikes suddenly and violently but passes quickly; whereas vice is like dropsy or consumption, chronic conditions which are all consuming. The incontinent person is corrigible; the vicious person is not. The incontinent recovers his senses, while the vicious person never does

(*NE* VII 8, 1150b30-1151a5). The incontinent person ends up performing vicious actions though they lack a vicious disposition because their actions are against their choice (*NE* VII 8, 1151a5-10). This Aristotle explains by saying that they are not persuaded that what they do is correct, whereas the vicious person is persuaded that what he does and pursues is correct (*NE* VII 8, 1151a11-14).

The differing types and degrees of incontinence explain why Aristotle uses two expressions to describe their behavior; 1) the incontinent acts without choice or does not choose or 2) he acts against his choice. An incontinent may have deliberated and possess a choice in the sense of it being a ‘setting himself to’ some course of action or restraint. We might imagine here a smoker or an alcoholic who sets themselves to quitting or sobriety and even takes steps to that effect. Yet this ‘setting to’ may be undone by the emergence of a strong desire on a particular occasion. Simply having the deliberate or rational intention to do something does not change one’s character, and so the same desires will be activated on the same occasions one used to smoke or drink. However, at the same time, the aforementioned smoker or drinker may not wholly abandon the deliberate intention they formerly had; they may try again. Likewise, we may have weaker desires and relatively stronger deliberate intentions that vie with each other, and this seems to be close to what Aristotle describes as continence: where, more often than not, we do what we decide in the face of desire. Thus, just as we may possess dispositional and occurrent wishes we may also possess dispositional and occurrent *prohairesis* to the extent that we have deliberated about the specific situation we are facing and to the extent that that deliberation is effectively realized in action at that time.

One objection to the suggestion that *prohairesis* has dispositional and occurrent

senses could be that it would make *prohairesis* indistinguishable from *boulēsis*.¹⁸⁶ If *prohairesis* and *boulēsis* can both represent long-term plans and general patterns of action, how are they then different? The *prohairesis* that the incontinent person has with respect to the things about which he is incontinent seems indistinguishable from his *boulēsis*, and this is supported by the fact that in the *Eudemian Ethics* he is said primarily to act against his *boulēsis*. The incontinent person, unlike the other character types, is marked by his inability to turn his rational plans into actions. Thus, he effectively does not have an occurrent *prohairesis* when he is incontinent, that is, in the sense of having a rational and deliberate proximate efficient cause of his incontinent actions, although he must have some capacity to prospectively deliberate about the same things as he is incontinent about. Thus, he can prospectively form a specific rational intention on the level of a *prohairesis*, but one that does not lead to consistent action. However, as Aristotle allows, the incontinent does act in accord with *prohairesis* when he deliberates and acts with respect to things he is not incontinent about and, in some cases, even about the things he is incontinent about. This is why an incontinent person is corrigible unlike a vicious person.

The term ‘dispositional’ in respect of *prohairesis* is, therefore, somewhat ambiguous. It applies not just to the specific *prohairesis* that the agent has, the particular goals and content, but also to their characteristic level of efficacy as well as the stability of its retention by the agent. Each character type intends the goods of human life differently on the level of *boulēsis*, especially such things as the ends which constitute

¹⁸⁶ Although A. Mele suggests that *boulēsis* has occurrent and dispositional senses, Bonnie Kent is the only author I have found who suggests this about *prohairesis*, and it is to her that I am indebted for this distinction. She suggests this as explaining Aquinas’ interpretation of weakness of will. See Kent, *Virtues of the Will*, p.163-64.

happiness. But each also intends lower-order ends and actions differently, both in terms of ends and manner of execution. Each character type possesses and retains, therefore, a characteristic *prohairesis* related to specific actions. These are dispositional both in the sense of having a characteristic outlook and in the sense of being operative or occurrent at certain times. The incontinent lacks a fully occurrent or operative choice in matters pertaining to his specific weakness; the continent man possesses a functional though defeasible choice in the same areas; the virtuous and vicious possess a dispositional and fully occurrent choice.¹⁸⁷ Virtue and vice, as well as the other types of character, give their stamp to the *prohairesis* of the agent, such that the *prohairesis* is said to come from a stable character.¹⁸⁸ These distinctions explain why Aristotle can conclude that the incontinent person acts *hekōn*, ‘voluntarily’, from an internal principle, and that he is not as bad as the truly vicious person: “he is not base (*ponēros d’ou*), since his decision is decent (*hē gar prohairesis epieikēs*); hence he is half-base” (*NE* VII, 10, 1152a15-20).

Aristotle’s account of the relationship between *prohairesis* and character in his treatment of *akrasia* is significant for accounts of intention and intentional action for two reasons: 1) the account shows that action can be more or less intentional; and 2) that all human actions are intended under some description.¹⁸⁹ First, it is clear that not every action is rational or deliberate; however, every action is motivated by some goal and

¹⁸⁷ While I am indebted to Bonnie Kent for the suggestion that the *prohairesis* has dispositional and occurrent senses, I disagree with her that the incontinent’s incontinent acts are initiated by an occurrent *prohairesis* which is contrary to his dispositional one. With respect to his incontinent actions, I do not believe that the incontinent has an occurrent *prohairesis*, although in English it would be correct to say that his act was chosen. See Kent, *Virtues of the Will*, p. 163-164.

¹⁸⁸ See Mele, “Choice and Virtue in the *Nicomachean Ethics*,” 413-418. I agree with Mele that choice must come and have reference to character. I disagree with him when he claims that only the virtuous and vicious can choose because of the stability of their characters. Incontinent and continent agents are not incontinent about everything, but usually only with respect to certain things.

¹⁸⁹ I borrow the phrase “more or less intentional” from J.L.A. Garcia “The Intentional and the Intended,” *Erkenntnis* 33 (Sept. 1990): 192-193, which we will use in our analysis of the Simple View in part II of the dissertation.

something done in pursuit of that goal. In giving an essentially thick description of akratic behavior, Aristotle describes the various ways that agents can intend both the ends they pursue and the things they do to achieve those ends. Likewise, an agent may be more or less cognizant of the ways in which his present action conflicts with his larger goals and pattern of conduct. An incontinent agent may only desire the action he performs for the satisfaction of a present desire, averting his practical thinking from the longer term consequences of his current behavior. The irrationality of an akratic's behavior pertains not to the explicability of each act but to the pattern of his conduct as a whole; each incontinent act is explicable for as far as it goes, but the intentionality behind the akratic act is limited to the present and conflicts with the longer term goals of the agent. Second, Aristotle's account of *akrasia* shows that all human actions are intentional under some description; the key for this account is to specify the exact source. Aristotle distinguishes between the sources of an incontinent's motivation to act incontinently. While an incontinent may possess latent or dispositional deliberate intentions, he does not, in the moment he acts, act from them; rather he acts from a different type of intention, one limited to immediate, usually bodily satisfaction. This differentiates him from the other types of character, whose behavior is more or less deliberate and consistent. This fact is also central to Aristotle's account of responsibility. The incontinent is responsible for his acts precisely because they are intentional; they arise from a type of *orexis*. That the particular *orexis* an incontinent acts from is not rational or deliberate does not detract from its being, from an Aristotelian point of view, an intention which can give rise to action.

I.5 Conclusion of the First Part

Aristotle's concept of *prohairesis* is at once specific and ambiguous. On the one hand he sets out to define a cause of human action which is the specific rational intention with which and by which we choose and execute our actions; on the other hand he often uses and refers to it in senses other than this. *Prohairesis* seems to have at least three senses or levels: 1) Primarily, the deliberate intention with which person acts, an 'occurrent' choice; 2) The habitual or 'dispositional' choice or resolve of 'decent' people; and 3) General purposes that men have which may encompass voluntary action as a whole. *Prohairesis* fits within the general framework of animal motion which Aristotle sets out in the *De Anima* and *De Motu Animalium*, but it is a principle of action peculiar to mature human beings capable of deliberating, as it is the intention which is the result of deliberation. It is a desire which is conditioned by reason and it is a term which marks out a narrow but important stretch of intentional action. *Prohairesis* is set off against other types of intention and action which often contend with practical reason, such as *epithumia* and *thumos*. Aristotle is, in contrast to contemporary accounts of intentional action, unusually specific in his designation of the different kinds of intention which can move human beings to act and with which they act. Different *orexeis* differ not only with regard to specific objects but also with regard to time, planning, and detail. Aristotle traces responsibility to the presence of these internal principles, and moral assessment is linked to the operative internal principle of an act. This allows for an action to be voluntary and intentional, even if the agent does not fully understand or plan for the consequences of an action. Intention, for Aristotle, if we correctly understand it as *orexis*

and what results from *orexis*, i.e., *prohairesis*, is not reducible to one mode but is irreducibly plural. Furthermore, each person's capacity for intentional action is shaped by his character, and each character has correspondingly different kinds of intention, both with respect to the objects of intention and in their relation to action.

Part II: Intentions and Intentional Action in the Contemporary Debate about the Simple View

II.1: Introduction to the Second Part

In the first part of the dissertation, we gave an account of Aristotle's concept of *prohairesis*, or choice, that placed it within the larger context of Aristotle's theory of action. In particular, we focused on how it derives from *orexis* or desire, and how Aristotle understood desire to be a complex intentional capacity and not merely a somatic urge. Aristotle's account of choice and desire allows him to explain the broad range of human action, from child to adult and from viciousness and *akrasia* to deliberate, virtuous behavior. The insights we have gleaned from Aristotle about the scope and range of intentional behavior and its basis in desire will allow us to tackle contemporary issues about intention and intentional action centered on the debate about what Michael Bratman calls the "Simple View."

Intentions are essential to explaining human action and to moral assessment. J.L. Mackie, in his book, *Ethics: Inventing Right and Wrong*, argues for a "straight rule of responsibility" which states that "an agent is responsible for all and only his intentional actions."¹⁹⁰ Although this rule is straightforward, it is also problematic. People are often held accountable for what results from negligence, which by definition is unintentional,

¹⁹⁰ J.L. Mackie, *Ethics: Inventing Right and Wrong* (New York: Penguin, 1977), 208. I am indebted to Peter French's "Fishing the Red Herrings Out of the Sea of Moral Responsibility," *Actions and Events: Perspectives on the Philosophy of Donald Davidson*, ed. Ernest LePore and Brian P. MacLaughlin (Oxford: Blackwell, 1985), 73-87, for this reference and for highlighting some of the subsequent difficulties, although I do not ultimately share French's own conclusions about the cultural construction of ascriptions of intention.

and not just for the negligence itself; e.g., a drunk driver is charged with vehicular manslaughter for killing a pedestrian and not public intoxication. It is clear, however, that intentions do play a role in the assessment of responsibility. Donald Davidson sheds some light on why this is in his essay, "Agency." Davidson argues that there cannot be, strictly speaking, a class of unintentional actions as distinguished from a class of intentional actions because, for something to count as an action at all, it has to be intentional under some description.¹⁹¹ To borrow an example from Searle, for Oedipus to unintentionally marry his mother Jocasta he must have intentionally married someone.¹⁹² Ultimately, the relationship between an agent and his acts cannot be understood or described without the concept of intention.¹⁹³

While some notion of 'intention' is indispensable for an account of action and moral responsibility, just what that notion is remains unclear. The word 'intention' has a range of senses, and it is often defined with respect to some purpose or goal, to a definite and deliberate plan, or to a mental state which gives rise to actions guided by goals or plans. Moreover, deliberation and purposiveness do not always go together; actions may be purposive (directed by an agent towards an end) without being deliberate. Purposive and non-deliberate behavior can include impulsive actions, quick actions, the actions of children, and even the behavior of certain animals. Many philosophers are loath to include children and animals among the class of moral agents. While they concede that their behavior is purposive, they deny that it is deliberate, rational, and intentional. Such thinkers favor limiting the term 'intention' to describing the mental state which results from rational deliberation and which causes behavior which follows that plan. These

¹⁹¹ Donald Davidson, "Agency," *Essays on Action and Events* (Oxford: Clarendon, 2001), 46-47; 61.

¹⁹² John Searle, *Intentionality* (New York: Columbia University Press, 1983), 181-82.

¹⁹³ Davidson, "Agency," 61.

thinkers also tend to use the activity of deliberation to ground normative accounts of practical reasoning which place constraints on the beliefs, desires and other premises which form the basis of an agent's intentions.

It may seem ironic, then, that thinkers who place great weight on the conceptual and mental autonomy of intentions seek to weaken the link between intention and intentional actions. Prime examples of this tendency are Michael Bratman and Gilbert Harman. Bratman rejects what he calls the "simple view" that "For [an agent] to intentionally *A* [the agent] must intend to *A*; [an agent's] mental states at the time of the action must be such that *A* is among the things [the agent intends]."¹⁹⁴ Likewise, Harman rejects what he calls the "Putative Principle That Intentional Acts Are Always Intended," which he formulates as "If one acts intentionally, it follows that one intended to act in that way."¹⁹⁵ Against this principle Bratman and Harman argue that some acts that are said to be intentional may not be intended by the agent that performs them. These include acts where an agent, prior to acting, is unsure that he will succeed. Bratman further distinguishes between an intention and the "motivational potential" of an intention, which can include goals and plans one cannot properly intend due to the constraints of his account of practical reasoning.¹⁹⁶

The strategy of narrowing the definition of intention to deliberate planning and the mental state which initiates deliberate action adopted by Harman, Bratman and others creates more problems than it solves. First, it weakens the link between intention and intentional action without specifying how the two are related. This undermines efforts to

¹⁹⁴ Michael Bratman, "Two Faces of Intention," *Philosophical Review* 93 (July 1984): 377.

¹⁹⁵ Gilbert Harman, *Change in View* (Cambridge, Mass: MIT Press, 1986), 89.

¹⁹⁶ See Bratman, *Intention, Plans, and Practical Reasoning* (Cambridge, Mass: Harvard University Press, 1987), 119-127.

link ascriptions of responsibility to intentions. Second, it fails to account for why intentional actions are intentional if they are not intended. Third, it fails to present a unified account of intentional action which can account for an agent's intentionality of and responsibility for non-deliberate actions. Fourth, the strategy fails to account for the moral and legal responsibility agents have for consequences which it describes as unintended.

The source for the problems associated with developing an account of intention is the ambiguity surrounding the terms 'intention' and 'intentional'. In regular usage an intention can be more or less deliberate, explicit, or conceptualized by the agent whose intention it is. Likewise, actions may be counted as intentional when they are purposive as well as when they are deliberate. Moreover, identifying single actions is difficult because the scope of an action depends largely on the scope of the intention attributed to the agent, but not always. One simple intentional action may have a number of different effects, some intended, others not. In the latter category of effects, it is difficult to distinguish between effects of which the agent was ignorant and effects which, though known to the agent, were not strictly desired or intended by the agent, e.g., the side-effects of drugs. In the former category, many have noted an 'accordion effect', whereby one simple action, like flipping a switch, can be described in a number of different ways depending on how one construes the chain of subsequent consequences. For example someone may flip a switch to turn on a light which alerts a burglar. The alerting of the burglar in most cases is unintentional. However, there are other scenarios where flipping the same switch can trigger a host of consequences which are intended by the agent when

he flips the switch.¹⁹⁷ This returns us to the ambiguity of the term ‘intention’ because agents may have complex intentions for simple actions or they may have very simple intentions for actions which have complex and morally relevant consequences. The nature of an agent’s intentions often makes a significant difference in our assessments of agents, e.g., distinguishing between malice aforethought and negligence is a distinction between intentions. However, sometimes, as in the case of negligence, an agent is accountable for consequences he did not intend.

Opponents of the Simple View assume that the word intention is univocal and picks out one particular mental state characterized by rational deliberation and an immediate role in the genesis of action. They do not correspondingly narrow the use of the term ‘intentional’. As a result, they find that not all intentional actions are intended – the term ‘intentional’ being left ambiguous; the term ‘intended’ being used narrowly and univocally. This seems quite paradoxical because the term ‘intentional’ is obviously the adjectival form of the noun ‘intention’. In terms of the language of intention ascription, opponents of the Simple View hold that to say ‘X’s A-ing was intentional’ does not entail that ‘X intended to A’; whereas we will hold that it does.¹⁹⁸ To sketch this out a little more, we will hold that the verbal locution ‘X intended to A’, the adverbial locution ‘X did A intentionally’, the adjectival locution ‘X’s A-ing was intentional’, and the nominal locution ‘X’s intention was to A’ are co-extensive.¹⁹⁹ We must immediately qualify this

¹⁹⁷ Davidson, “Agency,” 53-55. Davidson cites Joel Feinberg, “Action and Responsibility,” *Philosophy in America*, ed. M. Black (Ithaca: Cornell University Press, 1965), 146, as the source for ‘accordion effect’. The example of the burglar is Davidson’s.

¹⁹⁸ See Bratman, “Two Faces of Intention,” 394-396. Bratman does not lay out the claim as schematically as this, although he does specify the disconnect between the adjectival and adverbial locutions on the one hand and the verbal and nominal locutions on the other.

¹⁹⁹ I am indebted to the comments and advice of Fr. Arthur Madigan for bringing these points to my attention as implications to my thesis. Likewise, I borrow from him the manner of referring to the expressions as verbal, adverbial, nominal, and adjectival locutions.

by saying that these locutions are not co-extensive in colloquial usage; however, they are co-extensive when the entities to which the terms refer are properly understood and the reference is made precisely. In colloquial usage, the intention of an end and the intention of a means are not always discriminated. Moreover, the adjectival and adverbial locutions are colloquially used to cover both types of intention while the verbal and nominal locutions are colloquially used to cover only the intention of the end. Thus, in colloquial ascriptions of intention, as Knobe extensively documents, the adjectival and adverbial locutions are not coextensive with the verbal and nominal locutions. This presents a *prima facie* case against the Simple View, but as we will show (in sections II.3.2 as well as II.4.2.1-3) in line with the argument above, it is defeasible.

There is more to the argument about the Simple View than the simple extension or definition of terms. Opponents of the Simple View attempt to draw psychological and action theoretical implications from the inconsistencies of ordinary language or figures of speech: 1) the requirement that in order to intend to *A*, one must believe that one will *A* (covered in sections II.2.3, II.3.1, and II.5.2); 2) the narrowing of intended consequences, and the narrowing of moral responsibility of consequences, only to those consequences intended as part of or as the end (covered in sections II.2.4, II.2.5, II.3.2, and II.4.1-3); 3) the privileging of a particular kind of intention, a rational, deliberate intention, as the prime mover of human action (covered in section II.5.1-2); 4) the distinction between, or rather division of, intention and desire, such that an action can be intended without being desired (covered in section II.5.1-2).

The psychological and action theoretical conclusions drawn lead to the following significant issues in action description and moral assessment: 1) Trying becomes

intentional but unintended or non-intended, even though trying to *A* is indistinguishable from intending to *A* (covered in sections II.2.3, II.3.1, and II.5.2); 2) Assessments of praise and blame, but especially blame, lose their connection to intention when what is intentional is no longer necessarily intended, e.g., side-effect consequences (covered in sections II.2.4-5, II.3.2, and II.4.1-3); 3) Intentional behaviors that fall short of intention *par excellence* either become more deliberate than they are or less intelligible because unintentional (covered in sections II.5.1-5.2); 4) A number of actions seem to become inexplicable because intention divorced from desire removes the motivation for an action (covered in sections II.5.1-5.2).

Behind the differences in the interpretation of the terminology of intention lies conceptual confusion on the part of opponents of the Simple View: they confuse a species of intention with the genus of intention. The features of one kind of intention are taken to be the essential and necessary features of intention in general. These features are not, however, common to all intentions. The approach of the opponents of the Simple View is not an Aristotelian-style investigation of intention, beginning with a species and proceeding to a discussion of the larger genus. Their discussion begins and ends with deliberate intentions, usually intentions of the end, and other types of what we will classify as intentions are outside of that genus, as ‘intention surrogates’ or ‘motivational potential’, etc. This obscures both the essential element of all intentions, i.e., purposiveness, and the relationship and distinction between the intention of the end and the intention of the means.

Contemporary accounts of intention have difficulty with the ambiguity of the English term ‘intention’ because they fail to examine the relationship between the senses

of the term beyond noting their differences so that they can select one sense which will have exclusive claim to the use of the term; however, Aristotle's accounts of *orexis* and *praxis* offer a more successful paradigm for understanding the concept intention, its relationship to intentional action, and the ambiguity at the heart of the English usage of intention. For Aristotle, *orexis*, translated as desire, is an intentional power which can be more or less developed depending on the capacities of each biological species or the individual habits and capacities of certain individuals. *Orexis* is the faculty of purposiveness which provides animals (including humans) with the motivation to act. Every human action is guided by some kind of *orexis*, and many human actions are guided by a kind of *orexis* unique to human beings, that is, *prohairesis*, which is a deliberate desire. *Prohairesis* is a *composite* mental state which is, however, *not reducible* to any other mental state. It is a composite of a rational/deliberative capacity and the desiderative/orectic capacity. As such, *prohairesis* results from reasoning and is guided by and subject to rational constraints that other kinds of *orexis* or desire are not. Not every action results from a deliberate desire and not every human agent is capable of a deliberate desire, either because of his character or because of his circumstances. In any case, for Aristotle, we assess moral responsibility based on whether or not an act was voluntary, which resolves into whether or not the act resulted from some *orexis* accompanied by the agent's own cognizance of his acting. By distinguishing as he does between kinds of *orexis*, Aristotle can distinguish kinds of intentions and levels of intentionality in human action. An act may not be deliberate and yet it may still qualify as voluntary and intentional and we may still be held accountable for it. Likewise, we

may have non-deliberate intentions which are not, strictly speaking, rationally based upon our other beliefs or desires.

In this part of the dissertation, I intend to defend the Simple View with the help of Aristotle's insights into human action. First, we will present the contemporary debate about the Simple View, the view that all intentional acts are intended under some description, beginning with Bratman's seminal work and proceeding to Harman's complementary account. We will examine the three main objections to the Simple View as presented by Harman and Bratman, the objection that the Simple View cannot account for rational consistency in a hypothetical video game scenario, the objection that the Simple View does not accurately describe the intentionality of unexpected success, and the objection that the Simple View cannot account for unintended side-effects which result from intentional action. The third objection has recently been supported by the empirical research by Joshua Knobe, which raises a fourth objection to the Simple View, i.e., that its ascriptions of intention in side-effect cases do not conform to ordinary language or the folk concept of intention. We will answer the first two objections together and treat the third and fourth at length, focusing on the problems that the intentionality of side-effects poses for defenders of the Simple View like Hugh McCann and J. L. A. Garcia. Likewise, we will deny the conclusions drawn from Knobe's research by questioning the reliability and significance of inferences drawn from his surveys. Answering the third and fourth objections, however, will require further a detour into an account of the Doctrine of Double Effect, its history and interpretation, as well as the distinction between intention and foresight from which we will be able to better defend the Simple View. We will use insights gleaned from St. Thomas Aquinas'

theory of action (which was influenced by and in significant respects faithful to Aristotle's) to relate intentions and so-called side-effects and to respond to Warren Quinn's revision of the Doctrine of Double Effect based on types of agency. Finally, we will begin a constructive account of the relationship between intention, desire, and intentional action capable of answering the opponents of the Simple View.

II.2: The Simple View and its Opponents

II.2.1: Introduction to Objections to the Simple View

It is an obvious fact that the words ‘intention’ and ‘intentional’ are related. As Michael Bratman notes in the opening line of his seminal article, “Two Faces of Intention,” “We do things *intentionally*, and we *intend* to do things.”²⁰⁰ This suggests that expressions containing the adjective ‘intentional’ imply a direct connection to other descriptions containing the noun ‘intention’ or the verb ‘to intend’. To do something intentionally seems to imply having an intention at the time of action to do that very thing, or as Bratman puts it, “for me intentionally to A I must intend to A; my mental states at the time of action must be such that A is among those things I intend”; Bratman calls this initially plausible view the “Simple View.”²⁰¹ Bratman rejects the Simple View, arguing from the premises that intentions are differentiated from other mental states by their function in planning and action coordination and, therefore, that they are subject to rationality and consistency constraints to which other mental states are not subject.²⁰² Gilbert Harman, likewise, rejects the Simple View, although he calls it the “*Putative Principle That Intentional Acts Are Always Intended*,” which he formulates as follows: “If one acts intentionally, it follows that one intended to act in that way.”²⁰³ Harman, like Bratman, focuses on the relation of an agent’s intentions to his beliefs and other intentions and also places rational constraints on what it is possible for an agent to intend.

²⁰⁰ Bratman, “Two Faces of Intention,” *Philosophical Review* 93.3 (July 1984): 375.

²⁰¹ *Ibid.*, 377.

²⁰² *Ibid.*, 378-381, see esp. 381 for “strong consistency” constraints.

²⁰³ Harman, *Change in View*, 89. From here on out, we will refer to the position denoted by both expressions simply as the “Simple View.”

The objections made against the Simple View by Bratman and Harman tend to focus on three issues and related cases where an agent would seem to perform an action intentionally without intending to perform that very act. The first issue involves a case where we can confidently say that an agent acted intentionally, but if we conclude from that ascription that he intended to do what he did, we will be forced to conclude that he is irrational. This is Bratman's now famous video game example, of which he concludes that an intentional act may be part of an agent's "motivational potential" rather than his intentions. The second case, which both Bratman and Harman present, is where an agent attempts an action of whose success he himself is doubtful. In that case, while it seems that the action was intentional, it seems difficult to say that the agent intended to do what he did, that he 'meant to do that'. Since it would be irrational for the agent to believe in the probability of his success, it therefore seems unlikely that he intended the action. However, both Bratman and Harman allow that the agent may intend to try the given action without intending the given action. The third issue, again presented by both Bratman and Harman, centers on the difficulty of distinguishing side-effects or undesired consequences from intended results. If an agent undertakes an action for one purpose, but knows that the action will also necessarily produce an unwanted side-effect, is the side-effect intended as much as the original goal? Both Bratman and Harman argue that it would make the agent irrational if we ascribed to them the intention to produce the unwanted side-effect. This position has received support from recent work by Joshua Knobe, leading to what we will call the fourth objection. In several small surveys of random non-professionals, Knobe found that respondents' ascriptions of intention to hypothetical agents did not reflect the primary contention of the Simple View:

respondents were willing to describe certain side-effects as intentional or intentionally produced without ascribing an intention to the agent who produced them. Therefore, the fourth objection to the Simple View is that it does not accurately mirror our linguistic practices of intention ascription.

II.2.2: Bratman's Video Game

In "Two Faces of Intention," Bratman creates a scenario involving a video game to challenge the Simple View. He asks us to suppose that there are two video games of the same kind, 1 and 2, on two different screens, which involve guiding a virtual missile to a moving target on the screen. An ambidextrous gamer plays both games simultaneously and the games are "so linked that it is impossible to hit both targets. If both targets are about to be hit, the machine just shuts down." Both targets remain visible unless this eventuality occurs. The player is rewarded for hitting either target.²⁰⁴ A game player knows that he may hit each target but not both; likewise, he increases his chances of hitting either target if he plays both games simultaneously. The risk of shutting down both games is less than the chance of hitting either target, so he plays both games.²⁰⁵ With the scene thus set, Bratman now levels his challenge: If the player hits a target, it seems that he does so intentionally; therefore, according to the Simple View, he must have had an intention to hit that target. However, so Bratman argues, if he was also intentionally trying to hit the other target, according the Simple View, he must likewise have intended to hit the other target, but to intend simultaneously to hit both targets is self-contradictory and "a form of criticizable irrationality."²⁰⁶ Bratman concludes, therefore, that the player does not intend to hit either target; rather, what he needs to do is "to *try* to hit each target."²⁰⁷ Hitting the target is in the agent's "motivational potential,"

²⁰⁴ Bratman, "Two Faces of Intention," 382.

²⁰⁵ *Ibid.*, 383.

²⁰⁶ *Ibid.*

²⁰⁷ *Ibid.*, 387.

but the agent does not intend “flat out” to hit it, as Bratman argues, it is not *what* the agent intends.²⁰⁸ We will return to the concept of “motivational potential” below.

One potential objection to this conclusion that Bratman envisages is that one might say that the player had an intention to hit one of the targets, but not specifically the one he hit. Against this, Bratman argues that it seems that the player intentionally hit the target that he did for four reasons: 1) because the player both wanted to hit the target and tried to do so; 2) the attempt to hit the target was guided by the perception of that target and not the other; 3) the player actually hit the target in the way in which he was trying, using his relevant skills; 4) the player’s perception of hitting that specific target and not just any target, ends his attempts to hit it. A proponent of the Simple View, therefore, would have a hard time arguing that the player did not intend to hit the target, given that he apparently hit the target intentionally; however, this would seem to commit the proponent to describing the player as acting irrationally, since the player cannot hit both targets.²⁰⁹

²⁰⁸ *Ibid.*, 396.

²⁰⁹ *Ibid.*, 388.

II.2.3: Unexpected Success

The second major case used against the Simple View involves agents who are unsure of the chances of their success or who positively believe that they will not succeed. Bratman uses the example of someone with a log in his driveway blocking his car. The log is large and heavy enough that the person in question does not believe that he will move it. Believing that the effort he intends to make to move the log will fail, he forms a plan to call a tree company to remove the log later that day. Still, he does attempt to move the log. The Simple View would require that the attempt be motivated by an intention to move the log. Yet Bratman argues that if that were the case, the intention to move the log would be in conflict with the intention to call the tree company – essentially the person would intend to move the log twice. Therefore, according to Bratman, the person cannot intend to move the log; otherwise he would be guilty of irrationality. At most, he intends to try to move the log.²¹⁰ Harman uses slightly different examples to the same effect: a sniper making a difficult shot and an amateur golfer attempting a very long, difficult putt. In both cases, although the agents initiate actions with specific goals, they do not subjectively believe that have a reasonable expectation of success – success is possible, but not likely. In the event that the sniper makes his shot or the golfer her putt, Harman allows that both agents may be said to try to do what they were aiming at; at the same time, he denies that they either intended to do what they in fact accomplished or that they aimed at accomplishing what they did. To say that they intended their acts, Harman argues, seems to attribute to them a level of

²¹⁰ Bratman, *Intentions, Plans, and Practical Reasoning*, 39-40.

confidence in their success that they do not have.²¹¹ While Bratman emphasizes the conflict of the present intention with a future plan, Harman emphasizes the conflict of the intention with the present belief in failure. Both hold that for an agent to intend an act requires that the agent believe that he will be successful.

By arguing that agents who doubt the success of their attempted acts do not intend those acts, both Harman and Bratman reject, as Bratman puts it, “the inference” from trying to intending.²¹² Harman notes that while ‘intention’, in a wide sense, seems to be synonymous with ‘aim’, saying that a doubtful agent tries to do a given action attributes less confidence or a less certain belief to the agent than saying that the agent intended to perform the successful action.²¹³ Thus, Harman concludes that “In the absence of full belief it is often easier to say or believe someone acts ‘with the intention’ of doing *A* than to say he or she acts ‘intending’ to do *A*.”²¹⁴ To attribute intention to a lucky shot sounds like “bragging,” whereas the agent’s actual attitude seems closer to “hope.”²¹⁵ Although the agent may not “flatly” intend the action he successfully performs, if he succeeds, Harman argues, he performs the action intentionally.²¹⁶ Likewise, Bratman argues that to say that an agent ‘acts with the intention of doing *A*’, where the expression means roughly ‘acting with the further intention of’, can have two different readings. Under a “strong reading” it entails that the agent intends his action “as part of a larger plan of action.” Under a “weak reading” it only that the agent acts “*in order to*” accomplish the

²¹¹ Harman, *Change in View*, 92-93; see also *Reason, Meaning, and Mind* (New York: Oxford University Press, 1999), 47-48.

²¹² Bratman, *Intentions, Plans, and Practical Reasoning*, 40.

²¹³ Harman, *Change in View*, 92-93; see also *Reason, Meaning, and Mind*, 47-48.

²¹⁴ Harman, *Change in View*, 93.

²¹⁵ *Ibid.*, 92.

²¹⁶ Harman, *Reason, Meaning, and Mind*, 48.

goal, but it neither entails nor precludes that the agent intends to accomplish that goal.²¹⁷

For Bratman, we can distinguish a “weak sense” of ‘acting with the intention of’ whereby an agent acts “in order to achieve the purpose or goal” but without “strictly speaking” intending to act so that he achieves the goal.²¹⁸

²¹⁷ Bratman, *Intentions, Plans and Practical Reasoning*, 128-29. Bratman does not use the expressions ‘acts with the intention of doing A’ or ‘acting with the further intention of’. Rather he uses the sentence, “I open the curtains with the intention of getting more light” and parses out the meanings from there. I have substituted these here as paraphrases for the sake of economy in integrating Bratman’s and Harman’s accounts, and I have tried to indicate this using single quote marks. All the material within double quotes, including the italics in the double quotes, is Bratman’s.

²¹⁸ Bratman, *Intentions, Plans, and Practical Reasoning*, 129.

II.2.4: Intended Consequences and Side-Effects

The third major case used to argue against the Simple View is that of unwanted but foreseen consequences or side-effects. This leads to the third objection: It seems that the Simple View fails to distinguish between foreseen and intended consequences and that it attributes goals and purposes to agents and their intentions which they do not have and which it would be irrational for them to have. This argument has two sides: one relates to agent rationality; the other to agent responsibility and moral assessment. Bratman gives the example of a runner who knows that in running he will necessarily wear down his sneakers. In intending to run and running does the runner also intend to wear down the soles of his sneakers? It seems that the runner did wear his sneakers down intentionally – he was cognizant of his actions and their results; however, it does not seem that the runner intended to wear his sneakers down. That would not be a sensible goal. According to Bratman, a proponent of the Simple View would be required to say that since the runner wore down his sneakers intentionally, he therefore intended to wear them down.²¹⁹ To Bratman, this conclusion seems absurd; the runner has no such intention. One sign of this is that the runner is “not at all disposed to engage in further reasoning aimed at settling on some means to wearing down [his] sneakers,” which contrasts with his goals in running.²²⁰ Again Bratman invokes ‘motivational potential’ arguing that while the runner’s intention does not include wearing down the sneakers, the runner’s motivational potential does.²²¹ According to Bratman, the runner’s wearing

²¹⁹ Bratman, “Two Faces of Intention,” 399-400; 404.

²²⁰ *Ibid.*

²²¹ *Ibid.*, 400.

down his sneakers does not play a functional role in the runner's further plans as an intention to wear down the sneakers would.²²²

For Harman, the importance of attacking the Simple View's apparent linkage of intended and foreseen consequences lies in distinguishing the essential causal efficacy of intentions from other states of mind. An intention is "a conclusion of practical reasoning that says that the very conclusion itself guarantees that something will happen."²²³ The causal relationship between an intention and the event it causes is the hallmark of practical reasoning and an intention is caused by a desire in a way that a prediction is not. Predicting or foreseeing an event is based on one's beliefs about a situation and what Harman classifies as theoretical reasoning. Desire is not involved, at least not essentially.²²⁴ Side-effects and unintended consequences involve beliefs which extend beyond our intentions.²²⁵ Therefore, foresight or prediction is marked off from intention by the kind of reasoning in which one engages. The distinction between kinds of reasons is mirrored in the expectation of causality: one expects an intended event to happen because one intends it (and also desires it); whereas side-effects or consequences are either outside one's notice or intention or they are contrary to one's intention (and desire).

Harman's method for distinguishing intended from merely foreseen consequences comes from establishing a "simple" paradigm for decision-making that dovetails with his accounts of practical and theoretical reasoning. In most cases of decision making, "simple decisions" as Harman calls them, "one finds oneself with a salient end E and one

²²² *Ibid.*, 404.

²²³ Harman, *Reason, Meaning, and Mind*, 65.

²²⁴ *Ibid.*, 63.

²²⁵ Harman, *Change in View*, 107.

recognizes a salient means M that will get one E.” Most simple decisions lack extensive deliberation or the considerations of alternatives or consequences; “one simply forms the intention of getting E by doing M.” Harman goes so far as to argue that in most cases, “If one happens to notice side-effects or consequences, that does not by itself normally influence one’s decision.”²²⁶ While “one’s intentions combine means and ends,” in that means and ends form chains, the realization of one end being a means to another, “There is no analogous argument for the claim that they must include foreseen side-effects and other consequences.”²²⁷

Harman gives his account of simple decisions to counter what he calls the “holistic challenge”; i.e., the view that our intentions and decision encompass the whole of the action we cause, including side-effects and consequences as well as intended ends or outcomes.²²⁸ This alternative view develops because we naturally see the complex causality of our decision. On a holistic view, the “whole story” of one’s intended decision plays a role in whether or not one should make the decision; the value of one’s end needs to be weighed against the disvalue of the “rest of the story.”²²⁹ From the holistic point of view, side-effects and consequences affect one’s decision making in the same way that the comparative value or effectiveness of different ends and means does.²³⁰ The holistic position implies, according to Harman, “that all foreseen aspects of one’s decision, including side-effects and consequences, should be as much a part of one’s intention as one’s end and means are.”²³¹ In Harman’s view, the extremity of this

²²⁶ *Ibid.*, 106.

²²⁷ *Ibid.*, 109.

²²⁸ *Ibid.*, 98.

²²⁹ *Ibid.*

²³⁰ *Ibid.*

²³¹ *Ibid.*, 98-99.

conclusion contrasts with the plausibility of the consideration of consequences and side-effects in one's deliberations. Harman considers the basis of this plausibility the fact that holism appears to be an idealization of normal decision-making practices.²³²

A test case that Harman gives for whether or not intentions include side-effects and other unintended consequences is the case of a sniper who in shooting his target will also alert other enemies to his presence. If he shoots, hits his target, and alerts the other enemy forces, is the alerting of the enemy forces as intentional as hitting his target? Harman says no. First, the sniper shoots on the basis of a conclusion of practical reasoning which begins from his intention to hit the target but not from a desire or intention to alert the enemy. Second, the expectation or prediction that he will alert the enemy is not derived in the same way from his end. The shooting of the target is a practical conclusion and the alerting of the enemy is a theoretical conclusion, i.e., a prediction, based upon facts external to practical reasoning. To safeguard against specious theoretical reasoning, where one reasons in the third person about one's own actions such that one predicts that one will both shoot and alert the enemy, which would result in both events being unintended, Harman argues for a general principle of reasoning that one not predict one's own decisions.²³³ Thus, we can distinguish between intended and foreseen consequences by which species of reasoning licenses us to conclude that the event will occur. In practical reasoning, the event, our action or the realization of our end, will occur because we intended it, and our intention is formed on the basis of some desire through practical reasoning. In the case of theoretical reasoning, we can predict the likelihood of the event we intend as well as other event we do not

²³² *Ibid.*, 112.

²³³ Harman, *Reason, Meaning, and Mind*, 65-68.

intend. The theoretical view does not begin with a desire or an intention and lies outside of the genesis of a decision.

While Harman distinguishes foreseen from intended consequences primarily based on the distinction between theoretical and practical reasoning, Bratman chooses to create a class of intentional states outside of intention to cover the intentionality of side-effects. First, he proposes “to give up the assumption of tight fit and to distinguish between what is intended, and the sorts of intentional activity in which an intention may issue.”²³⁴ An action is said to be intentional by its relation to some relevant intention – according to Bratman an agent must intend “*something*” although he may not intend the intentional action which he performs. The relationship between intentional action and intentions to act is “complex” and not direct, and it is a mistake “to suppose that intentional action always involves an intention *so to act*.”²³⁵ In the gap between intentional action and intentions to act lies “motivational potential,” which Bratman defines: “A is in the motivational potential of my intention to V, given my desires and beliefs, just in case it is possible for me intentionally to A in the course of executing my intention to B.”²³⁶ Motivational potential is a “theoretical placeholder” that Bratman uses to “mark” that an action is intentional without explaining why it is. Bratman believes that more research and thought are required in the philosophy of action to identify and classify volitional states other than intentions and give accounts of their relationships to the genesis of action. At the moment, he argues, we can positively say that intentions are

²³⁴ Bratman, “Two Faces of Intention,” 394.

²³⁵ *Ibid.*, 394-95.

²³⁶ *Ibid.*, 395.

essentially characterized by consistency constraints to which these other states are not subject.²³⁷

Unlike Harman, whose concern with unintended consequences is tied up with the present causal efficacy of intentions and practical reasoning, Bratman argues that the puzzle surrounding the intentionality of side-effects supports giving “future-directed” intentions “methodological priority.” He concedes that with respect to “present-directed” intentions it is difficult to see “a real difference between intending to *A* and having an intention whose role includes the motivation of intentionally *A*-ing.”²³⁸ However, he continues, “The response to this worry is that intentions play other important roles.”²³⁹ These other roles are planning and coordinating and sustaining action involved with plans. With this in mind, we can discriminate between two different possible intentions that an agent may have, “both of which include *A* in their motivational potential but only one of which is an intention to *A*.”²⁴⁰ The basic role that future-directed intentions have is not, for Bratman, the actual initiation of present action but “as elements in coordinating plans.”²⁴¹ If we take future-directed intentions as essentially defining intentions as a whole, including present directed intentions, and we examine their features, we can avoid the positions that the Simple View takes because of its narrow focus on present-directed intentions.

Any defender of the Simple View must explain how it is possible for an agent to intend something which is beyond the scope of his immediate agency and which is antithetical to the larger horizon of his intended ends. Likewise, a defender of the Simple

²³⁷ *Ibid.*, 396-97.

²³⁸ *Ibid.*, 398.

²³⁹ *Ibid.*

²⁴⁰ *Ibid.*

²⁴¹ *Ibid.*

View must also answer moral claims about responsibility and intention, since moral judgments of responsibility for the consequences of one's actions are arguably based on the extent to which such consequences were intended.

II.2.5: Knobe's Empirical Research

Recently, Joshua Knobe has conducted two small surveys of random people in a Manhattan park designed to test the accuracy of the Simple View by focusing on consequence and side-effect cases. These surveys have provided the strongest evidence against the Simple View and constitute the fourth objection to the Simple View; namely, that the Simple View does not accurately reflect our actual ascriptions of intentionality in ordinary language. Whereas the Simple View would predict that the nominal locution ('X had an intention to A'), the verbal locution ('X intended to A'), the adjectival locution ('X's A-ing was intentional'), and the adverbial locution ('X did A intentionally') would each entail one another, such that to use one would entail the others, Knobe's surveys show a pronounced disjunction between the use of the nominal and verbal locutions on the one hand and the adjectival and adverbial locutions on the other. In each survey, the participants described, in one way or another, foreseen side-effects as intentional (the adjectival locution) or as having been done intentionally (the adverbial locution) without ascribing an intention (the nominal and verbal locutions) to the agent to produce those side-effects. The participants also seem to account negative side-effects to be intentional while positive ones are not. The first survey that Knobe conducted randomly divided 78 participants into two groups who were each given a slightly different scenario to evaluate.

The first group was given a "harm condition" and their scenario read as follows:

The vice-president of a company went to the chairman of the board and said, "We are thinking of starting a new program. It will help us increase profits, but it will also harm the environment."

The chairman of the board answered, “I don’t care at all about harming the environment. I just want to make as much profit as I can. Let’s start the new program.”

They started the program. Sure enough, the environment was harmed.²⁴²

The second group was given a “help condition”, and the scenario presented to them was identical but “help” was substituted in each case for “harm.” Both groups were asked to say whether or not the chairman intentionally harmed or helped the environment (the adverbial locution).²⁴³ In the harm condition group, 82% of the respondents said that the chairman had intentionally harmed the environment; whereas 77% of the respondents in the help condition group said that the chairman *did not* help the environment intentionally.²⁴⁴ A second similar survey with a similar example, this time with a lieutenant ordering his men to take a hill, was used on another small group of 42 people. In the harm condition group, the lieutenant orders his men into the enemy’s line of fire while taking the hill; in the help condition group, ordering his men to take the hill takes his men out of the enemy’s line of fire. The results for the assessment of intentionality were largely the same: in the harm condition group, 77% of respondents said the harmful side-effect was brought about intentionally; whereas in the help condition group, 70% of the respondents said that the agent did not bring about the helpful condition intentionally.²⁴⁵

Knobe also asked each survey group to assess the agents in question for praise or blame for the side-effects that resulted from their actions, and these results also showed a

²⁴² Joshua Knobe, “Intentional Action and Side-effects in Ordinary Language,” *Analysis* 63.3 (July 2003): 191.

²⁴³ *Ibid.*, 191-92.

²⁴⁴ *Ibid.*, 192.

²⁴⁵ *Ibid.*, 192-93.

significant skew. As Knobe summarizes, “Overall, subjects said that the agent deserved a lot of blame in the harm condition . . . but very little praise in the help condition.”²⁴⁶ Respondents were asked to rate the praiseworthiness or blameworthiness of the agents in each case on a scale of one to six. The average mean score of blameworthiness in the harm condition was 4.8; the average mean score of praiseworthiness in the help condition was 1.4.²⁴⁷ The scores for blameworthiness and praiseworthiness correlated with the respondents judgments about whether or not the side-effects were intentionally brought about by the agents.²⁴⁸ These results seem to lend support to objections raised to the Simple View like those of Bratman and Harman.

After the publication of these results, Knobe conducted another small study in response to criticisms of the first. The first major criticism of Knobe’s results was that they were skewed by the pragmatic implications of blame inherent in assessments of intentional action. That is to say, respondents may have been reluctant to classify a harmful or helpful effect as intentional because that ascription usually entails moral judgments about blame and praise, as well as punishments and rewards.²⁴⁹ In this study, Knobe asked 77 people in a Manhattan public Park two questions in response to the help and harm scenarios involving the chairman and the environment used in the first survey. The respondents were first asked to say whether or not the sentence “The chairman harmed [helped] the environment in order to increase profits” seemed correct to them and by what degree, on a scale from -3 (“sounds wrong”) to 3 (“sounds right”), with 0 as “in

²⁴⁶ *Ibid.*, 193.

²⁴⁷ *Ibid.*, 191; 193.

²⁴⁸ *Ibid.*, 193.

²⁴⁹ Frederick Adams and Anne Steadman, “Intentional Action in Ordinary Language: Core Concept or Pragmatic Understanding?” *Analysis* 64.2 (April 2004): 173-81. This is one of Adams and Steadman’s major points to which Knobe takes pains to respond; it is also adopted by Hugh McCann, and we will examine this at greater length below.

between.”²⁵⁰ Knobe found the following result: “The average rating for subjects in the harm condition was +.6; the average for subjects in the help condition was -1.”²⁵¹ This suggests that neither group was inclined to see the side-effects as pursued in order to fulfill the chairman’s ultimate goal; although the respondents in the harm condition were more likely to see it in an instrumental light. The assumption that Knobe is working from is that “reason explanations,” which provide an explanation of purpose and the relation of means to attain that purpose, “are only applicable to intentional actions.”²⁵² He therefore uses acceptance of a given reason explanation involving side-effects as a proxy for the description of that side-effect as having been intended (i.e., as being equivalent to a verbal or nominal locution). By framing the side-effect in the format of a reason explanation, with the operative ‘in order to’ clause, Knobe believes that he has overcome the pragmatic implications usually associated with descriptions of intentional action.²⁵³

In addition to this survey, Knobe did another survey using the same harm/help scenarios with two further groupings. Within each harm and help scenario respondents were further randomly divided into two groups. The first group was asked whether the chairman had helped or harmed the environment intentionally (the adverbial locution); the second group was asked whether or not it was the chairman’s intention to help or harm the environment (the nominal locution). Knobe displayed his results in the following table:

²⁵⁰ Knobe, “Intention, Intentional Action, and Moral Considerations,” *Analysis* 64.2 (April 2004): 182-184.

²⁵¹ *Ibid.*, 184.

²⁵² *Ibid.*, 182.

²⁵³ *Ibid.*, 182-83.

Knobe Table 1: ‘Intentionally’ vs. ‘Intention’

	Harm	Help
‘Intentionally’	87%	20%
‘Intention’	29%	0%

The results indicate that, like the Knobe’s first surveys, harmful side-effects were said to be done intentionally by many more respondents than helpful side-effects were; moreover, that very few people said that the chairman had an intention to harm the environment, while none said that he had an intention to help it.²⁵⁴

The results of this survey are significant because, as Knobe concludes, they seem to show that there are actions which are intentional without the agent having had an intention to perform them.²⁵⁵ The possible divorce of intention from intentional action is the heart of all the objections to the Simple View and to have some sort of confirmation of that divorce in the judgments of ordinary English speakers is powerful evidence. If the Simple View is correct, an account must be given as to why the judgments made or the expressions used by ordinary English speakers are not theoretically significant, mistaken or misleading. We shall turn our attention to the first two objections first, before tackling the third objection and Knobe’s research.

²⁵⁴ *Ibid.*, 185.

²⁵⁵ *Ibid.*, 186.

II.3: Responses to Bratman, Harman, and Knobe

II.3.1: Trying, Intending, and Intention Surrogates

The first two objections to the Simple View are much more easily handled than the third and fourth, and the responses to them by Hugh McCann and J. L. A. Garcia have largely neutralized the potency of these objections. These responses focus on attacking what appears to be a merely verbal distinction between intentions to try to *A* and intentions to *A*. This leads to an attack on another distinction, that between intentions and “intention surrogates,” which also appears to be merely verbal. First, Harman and Bratman assume that “it is possible for a person to intend to try to *A* without intending to *A*.”²⁵⁶ If it is not possible to try to *A* without also intending to *A*, the putative alternatives to the Simple View now lack an explanation for one of their most salient cases, the “unexpected successful attempt.”²⁵⁷ Second, Harman and Bratman must introduce “intention surrogates,” purposive states that guide behavior and practical reasoning but which do not fall under the consistency constraints that intentions do.²⁵⁸ The introduction of these other purposive states weakens the objections to the Simple View because these states seem not to be significantly different from intentions, either in content or function, save that they are not subject to certain rules of rational consistency.²⁵⁹ Therefore, the other states, grouped by Bratman under the concept of motivational potential, provide no real alternative to intentions as described in the Simple View.

²⁵⁶ Hugh McCann, “Settled Objectives and Rational Constraints,” *American Philosophical Quarterly* (Jan. 1991): 29.

²⁵⁷ *Ibid.*, 27.

²⁵⁸ *Ibid.*, 28.

²⁵⁹ *Ibid.*, 28-30; 34.

We shall present these responses at length, but, as we shall see, the third case (i.e., the distinction between intended and foreseen results) is more recalcitrant. The distinction between intended and foreseen side-effects is not dealt with by cases dealing with the conflict between an agent's direct intentions or goals and his beliefs about those same intentions or goals. The fundamental issue remains to be explained, namely: Either foreseen side-effects are in some way intended or they are not intended but are accounted to be intentional. A fuller account of practical reasoning must be given to support the first disjunct; otherwise, opponents of the Simple View will have the case they need to undermine it. In pursuing this account, we shall be to re-examine intention surrogates and the relation of intention to desire as well as the connection between intention and foresight.

In the examples used by Harman and Bratman agents attempt feats which conflict with their beliefs about the efficacy of their attempts. The conflict can take two forms: 1) it can be a conflict between an agent's goal and his beliefs about the probability of succeeding in achieving that goal (e.g., moving the heavy log or attempting the difficult putt); or 2) it can be a conflict between two equally attractive options which the agent knows cannot both succeed (e.g., playing Bratman's video game). In each case, Harman and Bratman claim that the agent cannot intend to perform the action which would achieve the goal, but they may try to perform that action. The achievement of the goal is beyond the content of the intention. The crucial assumption which makes Bratman's and Harman's solution to these apparent problems plausible is that it is possible to try to A

without intending to A.²⁶⁰ However, the distinction assumed turns out to be merely verbal; as J. L. A. Garcia rightly observes, “what I try to do I intend to do.”²⁶¹ A corollary mistake made by both Bratman and Harman is the confusion of process and product: an action is often identified by the goal that completes it; many verbs and verbal expressions imply success, much like the verb ‘to know’. However, it can also be identified by the subsidiary movements and moments which bring that goal about.²⁶² We can be engaged in an activity even if we fail to achieve that activity’s goal.

As Gilbert Ryle perceptively and correctly noted in his essay “The Thinking of Thoughts: What is ‘*Le Penseur*’ doing?”, many verbs in English do not denote a specific kind of action but behave adverbially; he called these, fittingly enough, “adverbial verbs.” One such verb is the verb ‘to obey’. One can obey in any number of ways which are all dependent on the conditions set by an antecedent command. The verb often stands by itself in certain English expressions, such as when one might simply say, “I obeyed,” which suggests that it is a distinct form of action; however, if one were to be asked whether one had obeyed a command, the answer would have to be a description of another action which constituted the obedience. One might say, for example, “I obeyed by sitting down,” if one had been told to sit after a class presentation by a professor. The

²⁶⁰ McCann, “Settled Objectives and Rational Constraints,” 29; J. L. A. Garcia, “The Intentional and the Intended,” *Erkenntnis* 33 (Sept. 1990): 199. McCann lodges this objection against Bratman; Garcia lodges the same objection against Harman.

²⁶¹ Garcia, “The Intentional and the Intended,” 199.

²⁶² See McCann, “Settled Objectives and Rational Constraints,” 29 and Garcia, “The Intentional and the Intended,” 199. Neither makes this explicit formulation in terms of process and product, although each substantively says this. See Gilbert Ryle, *The Concept of Mind* (New York: Hutchinson’s University Library, 1949), 130-31, for an examination of “verbs of success.”

verb obey does not express a distinct act but a manner of acting.²⁶³ The same can be said for the verb ‘to try’: “the fact is that ‘trying’ is not a name for a kind of action.”²⁶⁴

Every intentional action has some goal or purpose; that is what it is to be intentional. However, many goals are not achieved immediately but either through processes of longer or shorter duration or through several steps. Trying, attempting, and endeavoring all indicate either a present, incomplete process, but also tend to connote difficulty or exertion.²⁶⁵ In any case, “When I try to do *A* . . . I do some *B* . . . with the intention that doing *B* constitute, or constitute a part of, my doing *A*.”²⁶⁶ Expressions like “I was trying to *A*” are often given in response to questions from other people who do not see or do not know the purpose or goals of our current movements or activities. To say that a particular “doing *B* was an attempt to do *A* is to say what I intended in my doing *B* to be (or be a part of) and therefore to say something of why, with what aim, I did it.”²⁶⁷ Trying to *A* is not separate from doing *B*, and doing *B* is part of the process of doing *A*; “‘trying’ is a term that signifies the general business of acting in pursuit of some objective.”²⁶⁸

If we re-examine the examples used against the Simple View, we can see how empty the distinction between trying and intending is. If agent intends to move the heavy log, he must do so by pulling it in some manner or other. Likewise, if the video gamer wishes to hit either target, he must move the game controller and guide the missile. The sniper and amateur golfer must also both aim their respective projectiles, and in each case

²⁶³ See Ryle, “The Thinking of Thoughts: What is ‘*Le Penseur*’ doing?” *Collected Papers*, vol. 2 (London, Hutchinson, 1971). See also “Adverbial Verbs and Verbs of Thinking,” *On Thinking* (Totowa, NJ: Rowman & Littlefield, 1979) 17-22. The example of ‘to obey’ is Ryle’s and is exhibited in these works.

²⁶⁴ McCann, “Settled Objectives and Rational Constraints,” 29.

²⁶⁵ *Ibid.*

²⁶⁶ Garcia, “The Intentional and the Intended,” 199.

²⁶⁷ *Ibid.*

²⁶⁸ McCann, “Settled Objectives and Rational Constraints,” 29.

initiate the movement to send either the bullet or the ball on its way. The question arises: In what ways do these actions differ if the agent does not intend to do them, but only intends to try to do them? The answer is: In no way whatsoever. In each case the agent, the movements or subsidiary actions the agent performs will be identical. Whether we describe the agent as, for example, intending to move the log by tugging it or intending to try to move the log by tugging it, tugging the log is done “*as a means to the end of moving it*”; that it counts as an attempt at moving the log at all is because the movement has that very goal.²⁶⁹ Neither Bratman’s nor Harman’s accounts forbid the agent to intend directly subsidiary actions, like tugging on the log; moreover, both allow for such actions because both allow that the attempt might be successful. Of this fact, McCann concludes: “As far as planning and execution are concerned, our examples differ not at all from standard cases of intentionally A-ing. All that is missing, supposedly, is the intention to A.”²⁷⁰ Moreover, why, if it is irrational to intend to A, is it any more rational to intend to try to A? It seems that it cannot be, if intending to try to A involves the very same subsidiary actions and probability for success.²⁷¹ As Garcia observes, ascribing the goal or objective to present action, to say an agent *B*’s with the intention of A-ing is “to ascribe to him the goal or objective, in other words, the *intention* of doing so.”²⁷² Likewise, McCann argues that “there is no ordinary sense in which terms like ‘goal’ or ‘purpose’ signify objectives that guide deliberation and behavior, but fall short of being

²⁶⁹ McCann, “Settled Objectives and Rational Constraints,” 29.

²⁷⁰ *Ibid.* The paragraph as a whole is a paraphrase of McCann’s argument extended to Harman’s examples as well as Bratman’s.

²⁷¹ *Ibid.*, 31-32; see also Garcia, “The Intentional and the Intended,” 204. Both McCann and Garcia ask this pertinent question, although McCann goes on at greater length about the inconsistency the question highlights.

²⁷² Garcia, “The Intentional and the Intended,” 199.

intentions.”²⁷³ We might have reason to doubt an agent’s sincerity (or linguistic competence) if he were to express only the intention to try rather than a simple intention so to act. This is brought out very clearly in an example from the television show, *The Simpsons*, when Bart tells his sister, Lisa, “I can’t promise I’ll try, but I’ll *try* to try” in response to her request that he try not to frighten a neighbor.²⁷⁴

If an agent cannot be said to intend the act he performs, what mental state is he in as he performs the act? Bratman and Alfred Mele argue that an agent has a “motivational potential” or “motivation encompassing attitudes” respectively; that is, that there is a class of mental states that includes intentions but also other states.²⁷⁵ These include such things as “*guiding desires*,” which can guide both “present action” and “planning for the future.”²⁷⁶ These “quasi-intentions,” as McCann calls them, are “mental states of having a goal or purpose which may guide planning and action, but which unlike intention are exempt from demands of rational consistency.”²⁷⁷ An agent finds himself in this mental state when being rationally consistent forbids him from intending a goal.²⁷⁸

Against the existence of these quasi-intentions, McCann argues that requirements for rational consistency “constrain only the rationality of intentions,” that is to say, they qualify intentions but do not rule them out.²⁷⁹ It may be irrational for an agent to attempt something the likelihood of which is doubtful; however, it does not seem psychologically impossible for him so to intend. Moreover, as we have seen, it seems odd that these other intentional states, which are functionally indistinguishable from intentions, are not also

²⁷³ McCann, “Settled Objectives and Rational Constraints,” 34.

²⁷⁴ *The Simpsons*, “The Canine Mutiny,” episode 173, April 13, 1997.

²⁷⁵ Bratman, “Two Faces of Intention,” 400; Alfred Mele, *Motivation and Agency*, 14.

²⁷⁶ Bratman, *Intentions, Plans, and Practical Reasoning*, 167.

²⁷⁷ McCann, “Settled Objectives and Rational Constraints,” 30.

²⁷⁸ *Ibid.*

²⁷⁹ *Ibid.*, 31.

subject to rationality constraints – how is it any more rational to desire the improbable than it is to intend it? The kernel of the objections to the Simple View lies not in an objection to intending the improbable or irrational, “but the demand that [the agent] be committed unconditionally to a plan that presumes failure.”²⁸⁰ Yet, in the cases cited by Bratman, the agent does not need to have an unconditional intention. In the log-moving case, he need only intend to call the tree company *if* he fails to move the log himself; likewise, in the video game example, he need only intend to hit target 2 *if* he fails to hit target 1, and vice versa. It may be irrational *simultaneously* to intend to both move the log and call the tree company to move it later (or to aim to hit both targets); however, the agent need not have those intentions. Most plans are not so fixed in advance that they cannot be modified by the agent in the event of new circumstances; moreover, most plans involve conditional premises, assumptions and intentions.²⁸¹

The case is no different with the hypothetical video game player. The player going into the game is told that he cannot hit both targets; yet, if he is to win his reward, it is most rational for him to maximize his chances of success by trying to hit both targets.²⁸² We may imagine the player as he plays, tracking the movements of each target and firing at the most opportune moments at both. Now, while it is possible that he may fire at both targets simultaneously, by pulling both triggers at the same time, it is not likely that he will do so if both targets are moving independently of one another. If they are not stationary and are not moving in the same relative trajectories at the same speeds,

²⁸⁰ *Ibid.*

²⁸¹ McCann, “Settled Objectives and Rational Constraints,” 30-32; Garcia, “The Intentional and the Intended,” 203-205. Both McCann and Garcia make criticisms of Bratman along these lines, emphasizing the role and existence of conditional intentions.

²⁸² McCann, “Settled Objectives and Rational Constraints,” 31. McCann argues that Bratman’s constraints take the most rational option, that of firing at both targets, off the table; therefore, Bratman’s own constraints are not practically rational.

he will have to perform his targeting sequentially and he will likely be firing sequentially, as his attention passes from one target to another. Therefore, there is a guiding conditional intention to hit whichever target is opportune, but to track and fire at both. However, as the game is played, conditions change. At each moment the player makes a judgment about each target, and his likelihood of hitting it. His immediate intention, when he fires, is to hit the target he is firing at and not “either one”; however, if he misses, or in the time it takes for the first missile to hit the target he aimed at, he is free to change his attention to the other target, aim and fire at it. There is no contradiction in having a general conditional guiding intention which leads to an immediate, flat-out intention when the condition is perceived to be fulfilled by the agent. Bratman’s analysis artificially truncates both the actions and reasoning involved in the scenario, but, even still, there are not likely to be any scenarios where an agent must simultaneously and immediately intend or desire two contradictory goals.²⁸³

The distinction between intending and desiring a goal or an action as it applies to these cases is also suspect because it depends on the agent’s subjective awareness of the

²⁸³ My analysis was inspired by both McCann and Garcia; however, I have extended their points and analysis of the game, emphasizing the distinction between simultaneous and sequential intentions in relation to conditional intentions, which is indebted to Frederick Adams’s objection to Bratman that one may simultaneously intend to hit both targets without intending to hit both simultaneously. Adams argues that some intentions are time dependent; see Frederick Adams, “Intention and Intentional Action: The Simple View,” *Mind & Language* 1 (1986): 292. Cf. Ezio Di Nucci, “Simply False,” *Analysis* 69.1 (Jan. 2009): 77-78. Di Nucci does not think that Adams’s objection defeats Bratman’s example: “The problem is that the agent can only hit one target, and she knows it. So to intend to hit both [targets], at whatever time is still inconsistent with the agent’s beliefs” (77). Di Nucci also finds it contradictory to hit each target at different time, a suggestion of Adams we develop above. I cannot see how the latter suggestion is contradictory when we combine McCann and Garcia’s insights on conditional intending with Adams’s insights on the relation between intention and time. While Di Nucci argues, *contra* Garcia, that Bratman’s example disallows the conditional intention to hit whichever target is opportune, since the gamer plays both games simultaneously (74-75), I regard this as a kind of category mistake. Each game is not one discrete act but a number of acts, each with its own intentionality. Likewise, if the targets of each game are moving independently, each target will require a non-identical set of actions and planning to hit. Since the gamer is rewarded for hitting *either* target, and it is possible to hit either target, and hitting one does not entail hitting the other, there seems to be no contradiction. The only way there would be contradiction would be if it were not possible to miss both targets or if in hitting one the other was also destroyed.

rationality and consistency of his beliefs, desires and intentions. Some agents would be able to have intentions that other agents would not about the very same objects and goals solely on the basis of the quality of their reasoning. A “heedless person,” in McCann’s words, would be able to have an intention that a rational and mindful agent would not, “simply by failing to address the prospect of failing.”²⁸⁴ As McCann argues, this “makes whether I intend depend on what beliefs I do *not* have,” but if intentions figure in the actions of both the prudent and the imprudent, one can have an intention of the sort Bratman denies, but it would be irrational.²⁸⁵ Bratman and Harman conflate evaluative criteria with ontological or psychological conditions. It may be the case that, on an all-things-considered view of a particular matter, it would be irrational for an agent to intend to do what he endeavors to do; however, that is an evaluative moral or rational qualification of an already existent mental state, not an ontological or psychological condition which renders that state possible.

Finally, if we return to Harman’s modest amateur golfer and hesitant sniper, we can see that the statements that agents who are unexpectedly or accidentally successful make about their intentions (or statements made about them) cited by Harman can be understated and misinterpreted.²⁸⁶ Harman is right to suggest that when we attempt difficult and improbable things, where luck plays some role, it does sound like bragging

²⁸⁴ McCann, “Settled Objectives and Rational Constraints,” 33.

²⁸⁵ *Ibid.*

²⁸⁶ In what follows, I am combining insights from the works of McCann and Garcia, although not quite as they had presented them. McCann talks of an agent’s “avowals” in a hypothetical way, that is, what if an agent disavowed that he intended to do what he successfully and intentionally accomplished? This is directed at Bratman’s log-moving example and not at Harman. Likewise, Garcia criticizes Harman’s use of understatement to characterize an agent’s intention to try but not in response to the issue of bragging or confidence. I am also linking this to McCann’s response to Knobe in “Intentional Action and Intending: Recent Empirical Studies,” *Philosophical Psychology* 18.6 (Dec. 2005): 737-748, especially 741-44, where McCann argues that Knobe’s results and interpretation are inaccurate due to the pragmatic implications which statements of intention customarily carry. Cf. McCann “Settled Objectives and Rational Constraints,” 33-34; Garcia, “The Intentional and the Intended,” 198-99.

to say that we intended to do it. However, we must be careful about how we interpret such customary denials of intention. If someone denies that he intended the difficult shot or the difficult putt, it surely cannot be a denial of the goal he had or the purposeful manner of his execution. Such remarks are usually made to deflect what the agent feels is undue praise, which is taken to imply a greater level of skill or control than the agent has. Thus, pragmatic considerations give rise to utterances which do not accurately cast their meaning semantically. Moreover, the match between what the agent intended and the actual course of events, in the case of the course of the golf ball or the trajectory of the bullet, need not be perfect. As Garcia observes, actions may be “more or less” intentional depending upon the match between intention and subsequent action. This match is often affected by the agent’s skills and abilities as well as external factors. We can act more or less the way we intend, and we can be praised or blamed on the basis of how much we are responsible for subsequent events. An act, such as the sniper’s shot, can be “intentional *enough*” to count for praise or blame even if there were intervening factors which were in part responsible for him hitting his target. We might imagine him aiming at a target which moved suddenly but was hit nonetheless because the bullet was deflected by a strong wind. Since, in this example, “the points where the actual and intended paths match are more important . . . than the points where they diverge, this explains why we might justifiably” treat the successful hit as intentional.²⁸⁷

As we have shown, the first two objections to the Simple View arise largely from either contrived hypothetical scenarios or mistaken interpretations of merely verbal distinctions in ordinary English usage. Different words and expressions do not always

²⁸⁷ Garcia, “The Intentional and the Intended,” 192-93. I have created my own version of the sniper example; Garcia uses an assassin with a laser beam.

denote different entities, and there are often pragmatic implications, such as the deflection of praise, signaled by choices in words that do not have significant semantic implications. The arguments centering on the third objection, however, have less to with the pragmatics of language than they do with judgments of responsibility, moral assessment, and psychology, although we will have recourse to discussing the importance of pragmatic context in examining the intentionality of consequences.

II.3.2: Intentions and Consequences

The debate over the Simple View as it applies to agents who doubt their ability to succeed or who have competing goals seems to hinge on certain merely verbal distinctions; however, the objections that the Simple View cannot adequately distinguish between intended and merely foreseen consequences, and that it does not adequately describe our judgments about and ascriptions of intention, goes deeper into the theory of action and intention as well as the use of language. They are far more salient problems than they first appear to be, and they are related: ascriptions of intention in ordinary language form the basis for the major arguments about the plausibility of the Simple View. In this section, we will focus mainly on the fourth objection and Knobe's work. First, we will show the significance of Knobe's work for action theory by relating it to an example from Bratman. We will then proceed to a response to Knobe's work by McCann, which we will show is unsuccessful. Finally, we will make our own response to Knobe's surveys which will lead us back to the third objection by seeing the connection between linguistic ascriptions of intention, the different intentions of ends and means, and the relationship intentions have to practical reasoning. We will not be able to fully answer the third objection until section II.4.2.2, after we have covered the relationship between practical reasoning and intention, and given a refutation of the Doctrine of Double Effect.

To begin, let us recall Bratman's runner whose shoes will be worn down as he runs. Bratman frames this example as follows: "Suppose I intend to run the marathon

and believe that I will thereby wear down my sneakers.”²⁸⁸ It seems to Bratman that the runner does not intend to wear down his sneakers. A sign of this lack of intention is that he does not aim at some further means to wear his sneakers down – for instance, by some other means than running or by running more than would be required to practice for the marathon. His attitude toward wearing his sneakers down does not figure in any “further means-end reasoning” that an intention so to run them down would.²⁸⁹ Wearing down the sneakers does, however, figure in his cognizance of his running; he is aware that he is wearing them down as he is running and that his running is the cause of the sneakers wearing down.²⁹⁰ We might add, though Bratman does not, that such wearing down does figure in the further deliberations of many runners in their practice routines, but not as a goal. Worn down sneakers can cause injuries, so most runners monitor the wear in order to be ready to replace their sneakers and to maintain their health and readiness. Likewise, they also choose practice runs that will both aid their training and reduce wear on their shoes and body. Bratman substitutes a hypothetical consideration of the sneakers having an independent value as heirlooms. In any case, according to Bratman, the act of wearing down the shoes seems intentional in the sense that it is a component of the agent’s action of which he is aware and takes notice. If one subscribes to the Simple View, Bratman argues, we must read back from the fact that the wearing down is intentional that the runner intended to wear down his shoes.²⁹¹ This seems implausible.

One response to this example and argument, made by Garcia, is to accept the premise of Bratman’s argument, i.e., that the wearing down of the sneakers is not a

²⁸⁸ Bratman, “Two Faces of Intention,” 399.

²⁸⁹ *Ibid.*, 399-400.

²⁹⁰ *Ibid.*, 400.

²⁹¹ *Ibid.*, 400; 404.

purpose or goal the runner has and is therefore not intended, but argue that wearing down is not intentional either because not intended. As Garcia says, “What I have argued above applies to this case as well. The runner does not intentionally wear down [his] sneakers, for [he] doesn’t do so on purpose. Wearing them down serves no purpose of [the runner’s].”²⁹² The runner pursues his marathon running “*in spite of*, not because of” his awareness that he is wearing down his shoes.²⁹³ This response, though accurate, has significant lacunae: Why does it seem plausible to Bratman to say that the wearing down of the sneakers is intentional if it is not intended? Is it possible for an act to be intentional if it is not intended? We must explain why it is plausible that the wearing down of the sneakers by the runner is intentional, whether it is, and whether or not it is possible for it to be intentional without being intended. If it is possible for an action to be intentional without being intended, the Simple View is in serious jeopardy.

Bratman’s claim that the wear of the running shoes is intentional but not intended is far from an idiosyncratic view, and it implicates the main issue with the fourth objection (we shall return to Bratman’s running shoe example below in Section II.4.2.3). As we have seen, Knobe’s surveys revealed that while respondents were more likely to say that foreseen harm was intentional than foreseen help, they were extremely reluctant to say that either was intended. When Knobe introduced the “reason explanation” questions, which asked respondents whether the hypothetical chairman helped or harmed the environment “in order to increase profits,” the average responses hovered indecisively at “in between” sounding right or sounding wrong. Even still, the average respondent was significantly less likely to say that help factored into the practical reasoning of the

²⁹² Garcia, “The Intentional and the Intended,” 205

²⁹³ *Ibid.*

agent than harm.²⁹⁴ Knobe's survey utilizes the same criterion for intention as both Bratman and Garcia suggest: he asks respondents whether or not the proposed consequence is a goal of the agent's practical reasoning. Yet Knobe's respondents were still likely to account harm intentional (adjectival and adverbial locutions), even when they did not think the harm was pursued as means to the end of increasing profits (nomial and verbal locutions). This, therefore, seems to be case of intentional action without intention. Yet the disparity between ascriptions of intention and intentional action in the help and harm cases should give us pause. Why should consequences which both arise indirectly from an agent's actions be classified differently?

To respond to the results of Knobe's work, McCann enlisted Knobe to conduct two modified versions of the original surveys. Unlike Knobe's original surveys, in McCann's first survey respondents were asked both to say whether the harm caused by the chairman was intentional (using adjectival locution) *and* whether it was his *intention* to do so (using the nominal and verbal locutions). In Knobe's surveys, respondents were never asked directly to answer both questions, since he substituted the 'reason explanation' with the 'in order to' clause to stand in for the word 'intention'. In the second of McCann's surveys, respondents were asked to say whether the harm was intentional and whether the chairman *intended* to harm the environment. The surveys were given to undergraduates at Texas A&M University. Both surveys also had a control group, which was asked just one of the questions.²⁹⁵ The results are as follows:

²⁹⁴ Knobe, "Intention, Intentional Action, and Moral Considerations," 184.

²⁹⁵ McCann, "Intentional Action and Intending: Recent Empirical Studies," 739-41.

Knobe-McCann Survey 1: ‘Intentional’ vs. ‘Having an Intention’

	One Question	Both Questions
Intentional	63%	80%
Intention	27%	12%

Knobe-McCann Survey 2: ‘Intentional’ vs. ‘Intended’

	One Question	Both Questions
Intentional	64%	75%
Intended	42%	31%

The results are paradoxical and not at all comforting to a proponent of the Simple View. While asking both questions had the effect of increasing the responses given which found the chairman’s harming the environment intentional (the adjectival locution), it also had the effect of decreasing the number of responses given which found either that he had an intention (nominal locution) to do so or that he intended (verbal locution) to do so. McCann, however, is not deterred by these results. There is a small but, he finds, significant disparity between the results in the two surveys: when asked two questions, more people were likely to say that the chairman had intended to harm the environment (31%) than that he had an intention to do so (12%).²⁹⁶ That is to say, respondents were

²⁹⁶ McCann, “Intentional Action and Intending: Recent Empirical Studies,” 741.

more likely to agree that the verbal locution was true than the nominal locution when either was presented with the adjectival.

In response to these and Knobe's original results, McCann makes two initial observations: one semantic, one pragmatic. McCann's semantic argument centers on the meaning of the words 'intend' and 'intention'. As McCann concedes, "we tend to reserve the terms 'intend' and 'intention' to describe the agent's main purpose in acting, i.e., the goals or goals that guided his behavior."²⁹⁷ At the same time, results reveal that "when an agent knowingly does wrong, we view the wrongdoing as *somehow* falling within his aims."²⁹⁸ In other words, the nominal and verbal locutions of intention are used to describe the main purpose of an action, its goal, while the adverbial and adjectival locutions of intention have a wider extension in use, covering aspects of an action which may or may not be intended. A majority of respondents were willing to classify the chairman's actions in the harm scenario as intentional because of his cognizance of the consequences of his actions. At the same time, most were not willing to suggest that the chairman intended the harm, because it would be false "to conclude that the chairman's main purpose in giving the order was to harm the environment."²⁹⁹ However, there are also pragmatic considerations involved in the respondents' ascriptions. Respondents were probably reluctant to deny that the chairman's action in the harm scenario was intentional, McCann argues, because to do so would be to suggest that the harm was not blameworthy. They were caught in a conundrum because, semantically, to affirm that it was intentional seems to suggest that the harm was somehow the goal of the chairman's action; yet, pragmatically, they would like to hold the chairman accountable for the harm

²⁹⁷ *Ibid.*, 742

²⁹⁸ *Ibid.*

²⁹⁹ *Ibid.*

he has caused.³⁰⁰ This parsing out of the language, however, does not resolve the issue in favor of the Simple View.

To the semantic and pragmatic issues, McCann also adds a moral dimension to help to explain the asymmetry in Knobe's results between the help and harm scenarios. While acts may be right or wrong in themselves, in terms of the harms or benefits produced and whether such things, in McCann's view, are commanded or forbidden by morality, agent assessments, made in terms of praise and blame, reward and punishment, are made on the basis of the agent's "attitude in performing the action, and the stance toward right and wrong that attitude represents."³⁰¹ In McCann's opinion, we are more likely to excuse morally forbidden acts done in ignorance than we are to praise morally valuable acts done the same way. A duty to help the environment is, in McCann's view, like a "Kantian imperfect duty": we do not always need to be attentive to helping the environment and it is permissible that we "'not care' about the environment." The chairman in the survey question does nothing which is forbidden, but neither is he praiseworthy.³⁰² However, things are somewhat different in the harm scenario. Here, McCann argues, we are dealing with a perfect duty: "It is always wrong to harm the environment without overriding justification."³⁰³ The act itself is morally forbidden but it also shows his disregard of the harm he causes, which "bespeaks a certain malice" and bad character.³⁰⁴ The asymmetry between the help and harm scenarios is explained for McCann by the difference between the weights we assign help and harm in character assessment: "Unlike the help situation, where the chairman need attach no special value

³⁰⁰ McCann, "Intentional Action and Intending: Recent Empirical Studies," 743.

³⁰¹ *Ibid.*, 744.

³⁰² *Ibid.*, 744-45.

³⁰³ *Ibid.* 745.

³⁰⁴ *Ibid.*, 746.

to helping the environment, the harm vignette is one where he does have to value the harm.”³⁰⁵ Therefore, agents are more likely to count the chairman’s action intentional in the harm scenario because it is morally forbidden and he is cognizant of it being so; whereas in the help scenario the chairman violates no perfect duty. Perfect duties, for McCann, cannot be “postponed or set aside” and therefore an act which an agent intentionally undertakes which contravenes it is also an intentional violation of the duty; in the case of the chairman, “He defies duty for the sake of profit, and he intends to do exactly that.”³⁰⁶ Unlike the help scenario, he argues, there is an “additional dimension of intending” to the harm scenario because of the existence of a perfect duty.³⁰⁷

McCann believes that these points largely show that respondents, despite the *prima facie* survey evidence, implicitly hold the Simple View. The fact that the respondents do not identify the immediate intention the chairman has as containing either the help or the harm condition is explicable by reference to the notion of ‘intention’ as encompassing an agent’s goals. The content of the chairman’s decision is “simply what is reflected in his order to the vice-president: to go ahead with the new program.”³⁰⁸ However, because perfect duties are universally binding, intentional actions which contravene them evince a morally impermissible and malicious prior intention which accompanies the simple intention in action.³⁰⁹ This is not the case with imperfect duties. Therefore, on McCann’s interpretation, respondents were attempting to apply the Simple View to these cases and correctly judged that the chairman did not have the simple intention to harm the environment but did so intentionally because he violated a perfect

³⁰⁵ *Ibid.*

³⁰⁶ *Ibid.*, 745.

³⁰⁷ *Ibid.*

³⁰⁸ *Ibid.*

³⁰⁹ *Ibid.*

duty, a duty towards which he must have some intention – McCann calls this “an intention *with which*” he acted. Likewise, they decided that the chairman did not have the simple intention to help the environment, nor did he do so intentionally because imperfect duties do not have the same bearing on practical reasoning – in order to be contravened, they do not have to be overcome in the way that perfect duties must be.³¹⁰

Although McCann’s points about the semantic and pragmatic issues surrounding the words ‘intention’, ‘intend’, and ‘intentional’ are well-taken, his interpretation of the results of the surveys leaves much to be desired and is not adequate to defend the Simple View for three reasons: 1) Predictions based upon his explanation do not satisfactorily match the data of *any* of the surveys of colloquial usage; 2) His account essentially makes an action intentional because it is blameworthy; and 3) His account necessitates the creation of ancillary intentions to violate moral duties which mirror the accounts of trying by *opponents* of the Simple View. First, Thomas Nadelhoffer points out, the number of respondents who said that the chairman intended or had an intention to harm the environment *decreased* when they were asked both questions; precisely the opposite of what one would expect if respondents held the Simple View. Moreover, Nadelhoffer objects that McCann’s interpretation of the results is essentially unfalsifiable. The respondents are said to have an implicit view, the Simple View, that both explains their remarks and is, at the same time, explicitly contradicted by them.³¹¹ The results do not seem to confirm the Simple View; in fact they seem to disprove it, at least insofar as the

³¹⁰ *Ibid.*

³¹¹ Thomas Nadelhoffer, “On Trying to Save the Simple View,” *Mind and Language* 21.5 (Nov. 2006): 575-579.

Simple View is a theory or model that “accurately describes the folk concept of intentional action.”³¹²

Second, the argument McCann makes about antecedent violations of duty is strikingly similar to arguments made by Bratman and Harman against the Simple View. As Harman notes in a brief aside, people often account an action intentional because it is blameworthy. Harman goes on to conclude not that this is correct but rather that what makes an action praiseworthy or blameworthy is not identical to what makes it intentional.³¹³ The salient question is how praise and blame are related to accounts of intentional action. The Simple View seems to suggest that people are praised and blamed to the extent that their actions are intentional and, therefore, intended. McCann’s analysis seems to reverse this: some actions are intentional insofar as they are blameworthy. He argues this by trying to implant a blameworthy intention in agents who violate universal perfect duties, even though this is not the content of their simple intentions. Likewise, this seems to make the intentionality of an action depend on views that an agent does *not* have, as McCann himself objected to Bratman: whether or not the chairman’s act is intentional depends on whether he is not a deontologist. If the chairman does not believe in perfect duties, his harm is just as unintentional as his help would be. While McCann would have to argue that belief in perfect duties is a given, that is begging the question.

³¹² *Ibid.*, 578

³¹³ Harman, *Reason, Meaning, and Mind*, 48; see *Change in View*, 92. Cf. Garcia, “The Intentional and the Intended,” 202. Garcia says of Harman’s view that it “implies that if one successfully tried to do something, whether she did it intentionally will depend in part on whether her doing it was wrong.” This remark is made in reference to a work of Harman’s, “Practical Reasoning” *Review of Metaphysics* 29 (Mar. 1976): 431-463, in which the sniper example we have cited in later works appears first. In the later works we have cited, Harman seems to reject this view, but he does not make any conclusive remarks about precisely how praiseworthiness and blameworthiness are related to an action’s being intentional. The substantive objection which Garcia makes that “Harman gets backwards the relation between evaluative beliefs and ascriptions of intentional action” is the inspiration for what follows and I believe it is a fair characterization of McCann’s response to Knobe, which was published in 2005.

Third and finally, the intention ‘with which’ the chairman acts is also suspect and possibly fatal to the Simple View. This description of an intention to violate a moral duty is similar to an argument made by both Harman and Bratman with respect to trying. They use ‘acting with an intention’ to explain how an agent acts intentionally without an intention when he is trying in the face of doubt. McCann uses almost the identical expression to add a spectral, blameworthy prior intention to an agent’s action, which is not itself the intention which causes the agent to act. This, ironically, accomplishes the same end. The chairman intentionally does wrong without intending to when he acts. With that, the Simple View is defeated.

Despite the weakness of McCann’s response, Knobe’s results do not falsify the Simple View. First, it is a mistake to assume that the Simple View must accurately map or model ordinary, colloquial English or American-English usage. We may concede that a theory which supports the Simple View will not accurately describe “the folk concept of intentional action” without thereby conceding the falsity of the Simple View.³¹⁴ While ordinary language and usage are useful for philosophical investigation, their value is not absolute. Ordinary language and usage are often the result of custom and are not often the result of reflection or subject to requirements for coherence. In the second place, ordinary language and usage, from which so-called ‘folk concepts’ are derived, would have a much stronger claim if, in the instances cited, they were consistent; however, the colloquial uses of the terms ‘intention’ and ‘intentional’ in Knobe’s surveys, the ‘folk concepts’, are not consistent. What Knobe’s surveys reveal, if they are accurate for English speakers (or American English speakers) as a whole, is an inconsistency or perhaps even incoherence in the non-technical, extensive use of the terms ‘intention’ and

³¹⁴ Nadelhoffer, “On Trying to Save the Simple View,” 578

‘intentional’. The great disparity in the responses between the help and harm scenarios, where respondents were much more likely to call harm intentional than they were to call help intentional, when neither were understood as the goal of the action nor were classed by the respondents as a specific intention of the action, appears somewhat arbitrary. If there was a coherent folk concept of intentional action, there should be no discrepancy between the ascriptions in the help and harm scenarios. Opponents of the Simple View focus on the disparity between the uses of ‘intention’ and ‘intentional’, but they overlook the significance of the disparity between the responses to the two scenarios.

McCann’s strategy of interpreting these results is at once intuitive and misdirected. He is intuitive in noting the pragmatic elements in the respondents’ uses of ‘intention’ and ‘intentional’. All agree that there is a link between descriptions of intentional action and moral assessment, and McCann must therefore explain why harmful consequences are intentional. However, his strategy is misdirected because, on our view, he attempts to collapse the two most fundamental senses of intention: ‘intention’ understood as what is intended instrumentally, which, as we will argue below includes the help or harm to the environment, and ‘intention’, understood as ‘intention of the end’, the benefit to the company. In this line, he tries to implant a prior intention, a sort of implicit goal, in the agent to violate some sort of deontological requirement rather than examining the intentionality of means. The results of his analysis are ultimately unsatisfactory because he makes the actions intentional because blameworthy and not vice versa.

A more substantive problem with Knobe’s survey is methodological, and this is brought out by the results of Knobe’s second survey. In that survey, Knobe attempts to

eliminate pragmatic implicature in his results by using what he calls “reason explanations” questions with the use of the ‘in order to’ clause.³¹⁵ When asked if the chairman harmed the environment in order to increase his company’s profits, respondents were more inclined to say yes than no, but not strongly. Likewise, in the help scenario of the same survey, respondents were more inclined to say that the chairman did not help the environment in order to increase profits than that he did help it in order to increase profits, but again not strongly. The question responses indicated that the respondents were perplexed by the question. The respondents were first asked to say whether or not the sentence “The chairman harmed [helped] the environment in order to increase profits” seemed correct to them and by what degree, on a scale from -3 (“sounds wrong”) to 3 (“sounds right”), with 0 as “in between.”³¹⁶ The average score for the harm condition was +0.6 and the average score for the harm condition was -1.³¹⁷ Once again, there is a disparity between the two scenarios, but in both cases, respondents seemed to have difficulty interpreting the question.

We must ask ourselves an obvious question which has not been asked: Why did the respondents not feel confident in their responses? First, we must notice that Knobe has left his scenarios intentionally under-determined, using only ‘help’ and ‘harm’ to describe what happens as a result of the chairman’s actions. While this is done to minimize the effects of bias in the surveyed and the surveyor, it also has another effect: the respondent cannot determine how closely the help or harm the chairman does to the environment is related to his act. This is a very important ambiguity because in evaluating the intentionality of an action and the intention of an agent, we must focus on

³¹⁵ Knobe, “Intentional Action and Side-effects in Ordinary Language,” 181-84.

³¹⁶ Knobe, “Intention, Intentional Action, and Moral Considerations,” 182-184.

³¹⁷ *Ibid.*, 184.

more than statements or utterances of intention, but also the knowledge, cognizance, and directed action which constitutes the act. Some helps and harms arise from the very act an agent performs in pursuit of his end; others arise only indirectly. We shall illustrate this below.

Let us focus on two different possible cases of environmental harm by a corporation:

- 1) The corporation in question is a mining company, and the course of action decided upon by the chairman is the strip-mining of a pristine, wooded ridge for the substantial mineral wealth beneath it.
- 2) The corporation in question provides financial services, and the course of action in decided upon by the chairman is the negotiation of a contract with its janitors that does not include sorting out recyclables from the trash. Since the company would have to pay more for its custodial staff to perform the sorting, and recycling is not required by the municipality where it is located, the company saves money and increases profits but does not recycle.

In both examples, the corporations could be described as harming the environment. However, the harms are not causally related to the agents or their intentions in the same way. In the first example, the harm is in the act itself. The harm does not follow at some later time after the mining is complete; strip-mining the mountain in itself harms the environment. In the second example, the harm is indirect and also difficult to quantify. The lack of recycling by the financial services company harms the environment, presumably, by increasing the amount of landfill space needed for waste disposal and by requiring more trees be cut down for paper. Yet, neither of the presumed harms necessarily or immediately results from the policy of not recycling. Perhaps the company incinerates its trash in an environmentally friendly way. Perhaps, as result of the contract, the company phases out the use of paper forms for many of its administrative functions. In any event, the mere fact that the company does not recycle does not *eo ipso*

harm the environment any more than any other human action that consumes resources and results in waste; intervening agents and events affect whether and what harm results.

The point of these two examples is this: either could be used as an illustration of the harm scenario in Knobe's survey, and it is likely that the respondents would find the first case to be intentional and the second case not (this is not to say that the second scenario is not intentional, although it does seem less so). Likewise, it is our conjecture that the number of respondents who would find that the chairman in the first case had the intention of harming the environment would also increase. Moreover, the number and strength of responses indicating that the chairman of the mining company harmed the environment in order to increase profits would also likely increase. Yet the chairman of the mining company could say, just as Knobe's chairman did, "I don't care at all about harming the environment. I just want to make as much profit as I can. Let's start the new program."³¹⁸ The chairman could be completely sincere in his utterance: the harm was not the goal of his action. Yet at the same time, it is clear that he undertook it in order to realize his goal. It is likely, therefore, that because Knobe's scenarios were ambiguous respondents had a number of different examples in mind when attempting to answer questions about the chairman's actions. This probably had the effect of weakening their confidence when asked whether the chairman harmed the environment in order to increase profits, and it likely reduced the correspondence between ascription of an intention to harm and the description of the harm as intentional.

Knobe's surveys are valuable not so much because they conclusively refute the Simple View as because they show that the standard defenses of the Simple View with respect to consequences and side-effects are inadequate. Many people -- perhaps most --

³¹⁸ Knobe, "Intentional Action and Side-effects in Ordinary Language," 191.

are comfortable describing a broad range of actions as intentional but not intended. A defense of the Simple View must be able to explain why this is, and, if possible, demonstrate why this is plausible rather than merely mistaken. In order to get a better picture of the relationship between intentions and intentional action, we must return to Harman's account of practical reasoning and the 'holistic challenge'. Furthermore, we will have to challenge assumptions which are pervasive in many circles of contemporary ethics, particularly those surrounding the so-called Doctrine of Double Effect, the intention/foresight distinction, and the relationship between intentions and desires. Once we have completed these challenges, we will be able to mount a defense of the Simple View which can both explain and withstand Knobe's surveys and the objections of Harman, Bratman, and others.

II.4: Practical Reasoning and the Scope of Intention

II.4.1: Practical Reasoning and the “Holistic Challenge”

Practical reasoning or deliberation figures, and must figure, in any account of human action, and so the account one gives of practical reasoning will necessarily affect one’s account of intentions. As we seen above, Harman argues that the assimilation of foreseen side-effects to the content of intentions is a natural result of the “holistic” model of practical reasoning which considers the “whole story” part of what is intended, which results from an idealization of normal decision-making practices. He opposes this model with his own “simple” decision model of practical thinking, which holds that most decisions are simple and disregard non-instrumental factors such as side-effects.³¹⁹ This model places side-effects and undesirable consequences outside of the realm of intentions; whereas Harman argues that the Simple View would have to include them within the bounds of intention. There are several problems with Harman’s alternative account of decision-making that are relevant to McCann’s defense of the Simple View. First, as Harman allows, while many decisions are simple, perhaps even most mundane decisions are, there are many important decisions that require deliberation, and this deliberation, especially with grave or important decisions, almost always takes into account consequences and side-effects. Second, while Harman rightly observes that ends and means are related in hierarchical chains, he fails to observe that the higher one goes in the chain, the more complex the ends become; often-times the ends are not discrete objects but complex states of affairs. Third, he focuses mainly on cases of instrumental

³¹⁹ Harman, *Change in View*, 98-99; 112.

means and not constitutive ones. The distinction between these types of means may be best brought out by examples. In one case, an agent walks to get to a planned meeting; in another case, an agent walks to get exercise. In the former case, the walking is an instrumental means to the end of arriving at the location; in the latter case, the walking is constitutive of the end of exercise. That is to say, 'exercise' is not some thing which happens after or apart from the walking. Failure to consider this type of ends-means relationship is problematic because higher-order means cease to be merely instrumental to the ends they realize but are more often than not constitutive of them, e.g., the relationship between exercise, health, and general well-being. This is not clearly brought out by Harman's paradigmatic case of simple decisions.

The foregoing objections also bring out a fourth point about Harman's analysis that applies equally to McCann and Bratman: while it may be a mistake to view *every* consequence or side-effect as intentional to the same degree as intended means or ends, it is surely not mistaken to view *some* consequences or side-effects that way, even consequences that are not the primary goal of an action. Some side-effects or consequences are directly caused by the intended actions we make, while others are only probable or indirect. Moreover, some are themselves constitutive of the means and ends we choose. For example, in practical terms, the pain of surgery is inseparable from it, even though the pain is in no way the goal or purpose of the surgery. This is why surgery always involves some form of anesthesia and doctors take pain, its causes and remedies into account in their treatments, both in the types of surgery performed and medication prescribed. They are also held accountable for the extent to which they cause and deal with pain, over above how well they cure the underlying condition. Yet this complex

consideration of side-effects does not figure in Harman's paradigm case of practical reasoning, his simple decision model. While even people making simple decisions are held accountable for unintended but foreseen results of their actions, Harman sees this as a distinct issue from the question of intention in action. As he argues in both *Change in View* and *Reasoning, Mind and Meaning*, most people confuse the blameworthiness of action with its being intentional. On Harman's account, the basis for the assessment of blame is distinct from the basis of ascriptions of intention to actions. Both a sniper and a target shooter may make lucky shots, but we often account the former to be intentional and the latter unintentional, he argues, because we find something morally wrong with killing but not with hitting targets. For Harman, the phenomenon of associating intention with acts we find blameworthy is not explicable by his theory of intention.³²⁰

Criminal law offers evidence of an alternative view of practical reasoning and intention, one that supports the formulation of the Simple View at the same time as it challenges the narrow notion of 'intention' favored by both the Simple View's supporters and its opponents. As many fans of the TV series *Law and Order* can attest, in the New York State Penal Law, there is a noteworthy distinction between those consequences for which one should have a reasonable concern in deliberation and decision making and those for which one cannot be reasonably held accountable for failing to take into account. The New York State Penal Law states that a person can be guilty of assault in the first degree when "Under circumstances evincing a depraved indifference to human life, he recklessly engages in conduct which creates a grave risk of death to another

³²⁰ Harman, *Reason, Meaning, and Mind*, 48; see *Change in View*, 92.

person, and thereby causes serious physical injury to another person.”³²¹ Likewise, one can be guilty of manslaughter in the first and second degrees, aggravated manslaughter, as well as murder in the second degree when the death results from recklessness or depraved indifference to human life.³²² The term ‘recklessly’ is defined in the law as follows:

A person acts recklessly with respect to a result or to a circumstance described by a statute defining an offense when he is aware of and consciously disregards a substantial and unjustifiable risk that such result will occur or that such circumstance exists. The risk must be of such nature and degree that disregard thereof constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.³²³

Recklessness is, however, a distinct crime from negligence. Negligence, according to the Penal Law, occurs when someone “fails to perceive a substantial and unjustifiable risk” that an unlawful result would occur as a result of one’s action or that there were such substantial risks present when one acted.³²⁴ When one is reckless, one is accounted to be more blameworthy than when one is negligent, and the reason for this is that, for legal purposes, what one foresees as happening as a probable or certain result of one’s actions counts as part of what one intends, actually and not merely antecedently, as in McCann’s argument.³²⁵ In New York State, the law counts a result or consequence intentional if the

³²¹ NY Penal Law, § 120.10. Accessed through State University of New York at Buffalo, School of Law: <http://wings.buffalo.edu/law/bclc/web/nycriminallaw.htm>.

³²² NY Penal Law, §§ 120.15, 120.21, and 120.25.

³²³ NY Penal Law, § 15.05.

³²⁴ NY Penal Law, § 15.05.

³²⁵ There is significant debate over this point. Some scholars of English Common Law, which is the basis for much of New York State’s law, see criminal intent (*mens rea*) as separate from the mental state of intention; some see it as identical with it; others see criminal intent as the same as foresight but not the same as desire or purpose. See Alf Ross, “Intent in English Law,” *Scandinavian Studies in Law* 23 (1979): 177-209; see also R. A. Samek, “The Concepts of Act and Intention and Their Treatment in Jurisprudence” *Australasian Journal of Philosophy* 41.2 (Jan. 1963): 193-216.

person's "conscious objective" includes causing that result.³²⁶ Here, contrary to Harman and McCann, we see that there is a general and public standard by which the blameworthiness of an action, and its degree of blameworthiness, is dependent on its being intended and intentional. The law, it appears, seems to take the Simple View, but it does so by enlarging the content of the intention that an agent has in acting to include both the narrow objective of an action and its larger consequences.

The example provided by the law in this case is particularly significant because it highlights what is at stake in arguments about the Simple View: moral responsibility and assessment. The philosophical arguments made by Bratman and Harman would undermine the basis for our public and legal standards of assessment, which, it is safe to assume, are founded to a great degree on our moral standards of assessment. The views expressed by both Harman and Bratman are not consonant with laws that treat recklessness or depraved indifference as intentional because intended. McCann is right to see the pragmatic implications behind the responses on the various surveys, where respondents were probably reluctant to pardon offenses they felt were morally blameworthy and, likely as not, legally punishable. He is probably wrong to think that they had a developed or consistent theory to back up their ascriptions. They did have intuitions, which, though less thought-out, provide the basis for any legal or moral theory. Opponents of the Simple View cannot account for either the theoretical or linguistic connection between 'intention' and 'intentional', nor can they adequately explain the disparities between the help and harm conditions in the surveys and the moral implications behind them. This is a task which falls to any defender of the Simple View, and which we will take up in Sections II.4.2.1-4.2.3.

³²⁶ A. Ross, *ibid.*

Discussing the intentionality of consequences and its connection to moral assessment inevitably leads us to take a stance on the Doctrine of Double Effect, but taking such a stance will also be fruitful for our defense of the Simple View. The issue is ultimately about the importance of the intention/foresight distinction to the analysis and assessment of action, which is held to be integral to the doctrine. Since the Doctrine of Double Effect has been elaborated as involving this distinction to allow actions whose foreseen consequences would be impermissible if intended, and since rejection of the doctrine and the application of the distinction has been taken to entail a rejection of the moral significance of intentions, it is necessary to address the doctrine with the intention/foresight distinction in relation to the intentionality of consequences in defense of the Simple View. We shall not deny that there is an ethically significant distinction between intention and foresight; rather we will argue that this distinction has been misused and does not apply to a paradigmatic case, and, in general, to the kinds of consequences which are held to be fatal to the Simple View. From our examination of the Doctrine of Double Effect we will be able to account for the intentionality of side-effect cases and to explain ascriptions of intention, i.e., the third and fourth major objections to the Simple View.

II.4.2: Double Effect and the Intentionality of Consequences

II.4.2.1: Against the Doctrine of Double Effect

As we have seen, opponents of the Simple View argue that the Simple View entails the rejection of the distinction between intention and foresight with respect to side-effect consequences. This is unacceptable, they argue, because agents would then be said to intend harms or other undesirable consequences that result from their actions but that are not, strictly speaking the goal or purpose of the actions. As a result, such descriptions would either be inaccurate or absurd: On the one hand, the descriptions would be inaccurate since agents do not intend such harms or undesirable consequences as goals; on the other hand, accepting that agents do intend such consequences seems to result in absurdity, since agents so intending would be behaving irrationally, intending things which, all things considered, they do not want or which do not fit into their plans of action. Opponents of the Simple View, like Bratman and Harman, are correct in seeing that the Simple View entails the rejection of the application of the distinction between intention and foresight to the cases they cite. It does not, however, entail a complete rejection of such a distinction. While we will be arguing below that the distinction between intention and foresight has been and is misapplied to a number of cases, including the paradigmatic case at the heart of the Doctrine of Double Effect, that does not mean that the distinction cannot be used at all. Rather, the cases where it can be

used do not resemble most cases of human agency. They are usually events that follow from our action at some great temporal distance and with intervening causal factors such as other agents. While such events can be foreseen, they are not intended.

The rejection of the application of the distinction between intention and foresight to the cases cited by Bratman and Harman (and Knobe, by extension), as well as the rejection of the Doctrine of Double Effect, is not without potentially serious pitfalls. As Garcia argues, “Rejection of [the Doctrine of Double Effect] and its apparatus . . . often reflects an unwillingness to make features of an agent’s mind morally determinative” such that “what matters most centrally are certain mental stances (attitudes) rather than physical causal relations.”³²⁷ Rejecting Double Effect and the application of the distinction between intention and foresight would seem to entail consequentialism. The term ‘consequentialism’, coined by Anscombe, denotes the view that the primary basis for moral evaluation of an action is the good or bad that results from it and not the intentions or character of the agent performing the action.³²⁸ Such a standard of evaluation does not require that the agents who bring about those consequences have specific intentions *vis à vis* their ends, means, and other human beings. That is to say, agents need not regard any action as intrinsically evil or regard other human agents as

³²⁷ Garcia, “The Doubling Undone? Double Effect in Recent Medical Ethics,” *Philosophical Papers* 36.2 (July 2007): 246-247.

³²⁸ Anscombe, “Modern Moral Philosophy,” *Journal of the Royal Institute of Philosophy* 33 (Jan. 1958): 12. Anscombe coins the term ‘consequentialism’ during the discussion of the distinction between intention and foresight in this article. She argues that Sidgwick is the first consequentialist, and that his views permeate subsequent English moral philosophy. Anscombe argues that Sidgwick denies any distinction between foreseen and intended consequences and that this distinguishes consequentialism from utilitarianism. Subsequently, many writers have used the term consequentialism to denote or include utilitarianism. I will be using ‘consequentialism’ in this latter, broad sense to include utilitarianism. See David McNaughton, “Consequentialism,” *Routledge Encyclopedia of Philosophy*, ed. E. Craig (London: Routledge, 1998). Retrieved June 21, 2009, from <http://www.rep.routledge.com/article/L013SECT1> through the Boston College Library portal.

intrinsically valuable; the results are all that matters.³²⁹ Consequentialism, thus described, is contrary to both to the ethical philosophy of Aristotle and Aquinas and to conventional legal and moral assessments. Therefore, we must show how the limitation of the distinction between intention and foresight as it applies to the consequences of an agent's actions and the rejection of the Doctrine of Double Effect as it is currently understood are both philosophically feasible and do not entail consequentialism. At the end of our account, we will be able to provide a detailed model of human action which upholds the Simple View from an Aristotelian perspective.

In this section we will show that the Doctrine of Double Effect, as it is currently espoused, is historically based on a misreading of Aquinas' use of and distinctions between different kinds of intentional terminology; specifically with respect to Aquinas' use of the terms *intentio*, *intendere*, *non intendere*, *electio*, and *praeter intentionem*. Aquinas distinguishes between the intention of the end and the choice (*electio*) of the means, such that the choice is beside the intention of the end (*praeter intentionem*) without being, in contemporary English terms, unintentional. Therefore, unlike contemporary proponents of Double Effect, Aquinas does not prohibit instrumental harm, specifically killing, so long as the proximate end of the act is good and the instrumental harm intended is proportional to that end under the circumstances in which it the act is performed. We use the word 'harm' here to cover such things as physical injury and death without giving a moral specification to those harms. As we will show, Aquinas believes that describing an action as a killing does not sufficiently specify it as good or

³²⁹ As McNaughton, *ibid.*, notes, it is possible to be a consequentialist while also holding that some actions are intrinsically good or evil. This is not a view Anscombe had in mind in her original coining of the term, nor is it a view that I believe she would find consistent. At any rate, I am not familiar with such views, and it seems that such views are not what proponents of Double Effect have in mind.

evil; such a specification occurs when the conditions of the killing, which include the killer's intention, are added to the description of the action. Therefore, as we will further show, the instrumental intention or choice (*electio*) to kill can be morally good and licit for the sake of self-defense under certain circumstances and does not constitute doing evil for the sake of good.

The question of the appropriate historical understanding of Aquinas' relation to the contemporary Doctrine of Double Effect is of immediate significance to our defense of the Simple View for three reasons. First, Aquinas' own account shows an alternative account of intention, similar to the one we are espousing, which both distinguishes and relates the intentionality of the end to the means chosen for that end as well as those consequences which attend to the means. Second, Aquinas' account does not invoke the distinction between intention and foresight to render unintended certain consequences of action that opponents of the Simple View hold to be foreseen and not intended. Third, it offers a non-consequentialist account of how to understand the moral importance and relationship between intentions and consequences that we can use as a model for our own account.

As we will show in the next section, Aquinas presents intention, extending from the intention of the end (*intentio*) to the intention of the means (*electio*), as a complex, multifaceted whole, whose parts and relations must be must be evaluated in their entirety. While the intention of a good end is a necessary condition for a good act, it is not sufficient guarantee that an action in pursuit of it is good. The relation of the intention of the means to the intention of the end must be considered, as well as the means to the circumstances in which an agent finds himself. These circumstances include the

probability of both beneficial and harmful consequences, and a licit end can be pursued by illicit means, if those means entail unacceptable consequences apart from the end. The basis for this moral assessment is the connection between means and circumstances. Cognizance of both the benefits and harms that result from an agent's actions ties those results to the agent because they are linked in his intentions. As Aquinas ably shows, being outside of the intention of an agent's end does not entail being outside of the intention of the means. Unlike contemporary proponents of Double Effect, Aquinas does not invoke the distinction between intention and foresight to limit an agent's culpability; rather, in line with the usage we discuss in this section, agents are held accountable for what they foresee (with qualifications) because it attends to their choice of means rather than their intention of the end.

The Doctrine of Double Effect has long been attributed to St. Thomas Aquinas, specifically to his treatment of killing in self-defense in the *Secunda Secundae* of the *Summa Theologica*, Question 64, article 7, where Aquinas says that one act may have two effects (*nihil prohibet unius actus esse duos effectus*). In the case of self-defense, the act of defending oneself when attacked may have a good effect, the saving of one's own life, and a bad effect, the taking of the life of the attacker. Aquinas allows that the act of self-defense is permissible, even if the death of the attacker results (and was foreseen by the agent to result) providing that the death results as something 'beside the intention' (*praeter intentionem*) of the defender. The predominant interpretation of this question today derives primarily from the work of the nineteenth century French Jesuit Jean-Pierre Gury.³³⁰ According to Gury, in the case of self-defense it is impermissible to intend the

³³⁰ The attribution of the canonical understanding of double effect to the work of Gury is argued by Joseph T. Mangan, S.J. in "An Historical Analysis of the Principle of Double Effect," *Theological Studies* 10

death of the attacker, either as an end in itself or as means to save oneself; rather one foresees his death but does not intend it. Likewise, this has been extended to other cases, notably cases in medical ethics today, to exclude the intention of any harm as a means to a good end. An act is morally licit so long as the bad side-effect is merely foreseen and not intended.³³¹

The moral that Gury derives from the passage in the *Summa Theologica* has several facets. In his *Compendium theologiae moralis* Gury gives this rendering of what we are calling the Doctrine of Double Effect: “It is permitted to posit a good or indifferent cause, from which a twofold effect follows, one good, but the other bad, if there is present a proportionately grave reason, the end of the agent is honest, and the good effect follows from that [good or indifferent] cause, not from the mediating bad one.”³³² Subsequent Double-Effect thinkers have distinguished four defining constraints on morally licit actions with harmful consequences. As H. M. Giebel aptly presents these constraints:

(1) *acceptable-end condition*: the bad effect must not be intended as the end.

(1949): 41-61 and Christopher Kazcor, “Double-Effect Reasoning from Jean-Pierre Gury to Peter Knauer,” *Theological Studies* 59 (1998): 297-316. Both Mangan and Kazcor see Gury’s work as a development or evolution of themes implicit in Aquinas, Mangan definitively so, Kazcor problematically.

³³¹ For statements to the effect that Double Effect prohibits an agent from intending homicide or any other harmful consequences as means, and allows such acts to occur only under the condition that the harmful consequences are foreseen and not intended, see G.E.M. Anscombe, “Medalist’s Address: Action, Intention and ‘Double Effect’,” *Proceedings of the American Catholic Philosophical Association* 56 (1982), 21. See also Joseph Boyle “*Praeter intentionem* in Aquinas,” *The Thomist* 42 (1978): 649-65; John Finnis, Joseph Boyle, and Germain Grisez, *Nuclear Deterrence, Morality and Realism* (Oxford: Clarendon Press, 1987) 429p.; Allison McIntyre, “Doing Away with Double Effect,” *Ethics* 11 (Jan. 2001): 219-255; J. L. A. Garcia, “The Doubling Undone? Double Effect in Recent Medical Ethics”; as well as Mangan, *ibid.*, and Kazcor, *ibid.*

³³² Jean-Pierre Gury, S.J., *Compendium theologiae moralis*, 2 vols. (Regensburg: F. Pustet, 1874) 1.5. Cited in Christopher Kazcor, 297. I rely here on Kazcor’s translation, having cross-checked it with the only other extant English translation, that of Paul Bert in his *Doctrine of the Jesuits* (Boston: B.F. Bradbury & Co., 1880), 47-48. Kazcor is more precise, and there is great reason to distrust Bert’s translation since the purpose of his work, as stated in the Preface, is an openly polemical attack on Jesuit education.

- (2) *acceptable-act condition*: the act must not be bad in itself (independently of its causing the bad effect).
- (3) *acceptable-means condition*: the bad effect must not be intended as a means to the good effect.
- (4) *proportionate-reason condition*: the agent must have a proportionately serious moral reason for performing the act.³³³

While stated neither in Gury or Aquinas, the “central and most controversial element” of the Doctrine of Double Effect is the distinction between intention and foresight with respect to the bad consequences resulting from the action.³³⁴ The harm which results from the action cannot be instrumental to the attainment of the good end, nor can it be intended either as an end or as a means. However, the harm is foreseen, as evidenced by the requirement for a proportionate reason – only a very good reason could justify the production of harm, even if that harm is not intended.³³⁵ Whether these constraints and the reliance on the distinction between intention and foresight are accurate renderings of Aquinas’ teaching on self-defense has been a matter of debate for some time.³³⁶ In order

³³³ H.M. Giebel, “Ends, Means, and Character: Recent Critiques of the Intended-Versus-Foreseen Distinction and the Principle of Double Effect,” *American Catholic Philosophical Quarterly* 81.3 (Summer 2007): 447-68.

³³⁴ *Ibid.*, 447. See also Alison McIntyre, “Doing Away with Double Effect,” 219, for the centrality of the distinction between intention and foresight to Double Effect claims. McIntyre places the distinction at the heart of the doctrine, prior to the enumeration of constraints and even as part of a number of the constraints. While McIntyre cites the traditional Gury-derived formulation of the *New Catholic Encyclopedia*, she ultimately goes on to list six constraints which do not wholly match those which Giebel enumerates. This is because McIntyre is presenting a response to a wide range of Double Effect views, some of which are inspired by Aquinas and the Catholic tradition, others of which are newer. For instance, one of her constraints is on the minimization of harm and another is on the distinction between causing and allowing. Both could be said to be implied in Giebel’s enumeration, although there are necessary intermediate premises which must be added.

³³⁵ McIntyre, “Doing Away with Double Effect,” 221. She lists this as the first constraint which actions must satisfy to be licit under the Doctrine of Double Effect.

³³⁶ It has been under attack at least since Vincentius M. Alonso, S.J. wrote his dissertation at the Gregorian University, *El principio del doble efecto en los comentadores de Santo Tomas de Aquino* in 1937. It was this work that Mangan was directed toward refuting in 1949, and it has been a touchstone since. However, Alonso was not alone. John C. Ford, S.J. in his famous article, “The Morality of Obliteration Bombing,” *War and Morality*, ed. Richard A. Wasserstrom (Belmont, CA: Wadsworth Publishing, 1970), 15-41 [Originally published in *Theological Studies* 5 (1944): 261-309], which is the ultimate source for various thought experiments about terror and strategic bombers, observes, without much fuss, that Aquinas allows killing as a means but not as an end in itself. See Ford (1970), p. 27, footnote 27.

to evaluate the fidelity of Double Effect to Aquinas' original teaching, we shall examine the question on homicide as well as other passages in Aquinas at length.

We start, then, with Aquinas' oft quoted passage on self defense in the *Summa Theologica*. In response to the question, "Whether it is lawful for a man to kill in self defense?", Aquinas says,

Nothing hinders one act from having two effects, only one of which is intended, while the other is beside the intention. Now moral acts take their species according to what is intended, and not according to what is beside the intention, since this is accidental as explained above [43, 3; I-II, 12, 1]. Accordingly the act of self-defense may have two effects, one is the saving of one's life, the other is the slaying of the aggressor. Therefore this act, since one's intention is to save one's own life, is not unlawful, seeing that it is natural to everything to keep itself in "being," as far as possible. And yet, though proceeding from a good intention, an act may be rendered unlawful, if it be out of proportion to the end. Wherefore if a man, in self-defense, uses more than necessary violence, it will be unlawful: whereas if he repel force with moderation his defense will be lawful, because according to the jurists [*Cap. Significasti, De Homicid. volunt. vel casual.*], "it is lawful to repel force by force, provided one does not exceed the limits of a blameless defense." Nor is it necessary for salvation that a man omit the act of moderate self-defense in order to avoid killing the other man, since one is bound to take more care of one's own life than of another's. But as it is unlawful to take a man's life, except for the public authority acting for the common good, as stated above [Article 3], it is not lawful for a man to intend killing a man in self-defense, except for such as have public authority, who while intending to kill a man in self-defense, refer this to the public good, as in the case of a soldier fighting against the foe, and in the minister of the judge struggling with robbers, although even these sin if they be moved by private animosity.³³⁷

³³⁷ *Respondeo dicendum quod nihil prohibet unius actus esse duos effectus, quorum alter solum sit in intentione, alius vero sit praeter intentionem. Morales autem actus recipiunt speciem secundum id quod intenditur, non autem ab eo quod est praeter intentionem, cum sit per accidens, ut ex supradictis patet. Ex actu igitur alicuius seipsum defendentis duplex effectus sequi potest, unus quidem conservatio propriae*

In this passage, Aquinas states that in the case of licit, lethal self defense, the intention of the defender is to save his own life and not to kill the attacker. The defender must also use only so much violence as is necessary to defend himself. Aquinas allows, however, that intentional killing is licit by those with public authority for the sake of the common good, and this encompasses soldiers and executioners. It is forbidden to kill on the basis of private vengeance in any circumstance, even if the killer is a public official executing a lawful sentence or fighting in a just war. In the case of self defense, the death of the attacker is ‘beside the intention’ (*praeter intentionem*) and comes about apart from the intention of the agent. Nowhere in the body of this article does Aquinas make a distinction between intending ends and intending means; likewise he does not speak of choice (*electio*) with respect to killing.

If Aquinas means that we cannot licitly intend to kill an attacker, it seems that the death is only permissible if it has the character of an “accidental outcome,” which, as Gregory Reichberg illustrates, “would be akin to the risky adventure of a mountaineer, who, despite all precautions to the contrary, is nevertheless killed by an avalanche: he

vitae; alius autem occisio invadentis. Actus igitur huiusmodi ex hoc quod intenditur conservatio propriae vitae, non habet rationem illiciti, cum hoc sit cuilibet naturale quod se conservet in esse quantum potest. Potest tamen aliquis actus ex bona intentione proveniens illicitus reddi si non sit proportionatus fini. Et ideo si aliquis ad defendendum propriam vitam utatur maiori violentia quam oporteat, erit illicitum. Si vero moderate violentiam repellat, erit licita defensio, nam secundum iura, vim vi repellere licet cum moderamine inculpatae tutelae. Nec est necessarium ad salutem ut homo actum moderatae tutelae praetermittat ad evitandum occisionem alterius, quia plus tenetur homo vitae suae providere quam vitae alienae. Sed quia occidere hominem non licet nisi publica auctoritate propter bonum commune, ut ex supradictis patet; illicitum est quod homo intendat occidere hominem ut seipsum defendat, nisi ei qui habet publicam auctoritatem, qui, intendens hominem occidere ad sui defensionem, refert hoc ad publicum bonum, ut patet in milite pugnante contra hostes, et in ministro iudicis pugnante contra latrones. Quamvis et isti etiam peccent si privata libidine moveantur. (ST II-II, Q. 64 a. 7). All English references to the *Summa Theologica* will be from *The Summa Theologica of St. Thomas Aquinas*, trans. Fathers of the English Dominican Province, 2nd. Rev. Ed., 1920 (Online: www.newadvent.org/summa, online copyright Kevin Knight). All Latin references to the *Summa Theologica* as well as the *Summa Contra Gentiles* will be from the [Library of Latin Texts](#) - Series A, accessed through the Brepolis Online Database through Boston College.

thereby succumbs to an eventuality that he knew to be a distinct possibility from the outset, but which he had hoped to avoid.”³³⁸ This smacks of negligence more than it does deliberate self-defense. Or it might also be the case that the agent acts with too little time to adequately choose non-lethal means.³³⁹ This second option seems dubious if Aquinas is using the distinction between intention and foresight to support double effect: the agent who acts quickly seems to lack foresight. A larger doubt arises about cases where an agent has time to deliberate and act, cases where he clearly foresees the results of his chosen course of action. “Can one,” Reichberg rightly wonders, “*deliberately* spear the heart of an assailant without *intending* to kill him?”³⁴⁰ The defenders of double effect might argue that such a deliberate spearing-in-the-heart would exceed blameless self-defense, but this will not do. We can easily come up with other examples of self-defense, say with firearms of a certain caliber, where an agent’s only means of defense consists in using a weapon of such probable lethality that it seems absurd to suggest that he did not intend to kill his attacker.

A response to this line of argument might borrow a distinction of Anscombe’s, that between what makes an act intentional (its “intentionalness”) and the specific intention or purpose of the act. In this way, a defender of double effect and of the standard reading of Aquinas would argue that there is a distinction between a deliberate act, which turned out to be lethal, and a deliberately lethal act. While the stabbing or the pulling of the trigger is deliberate and therefore intentional, it does not follow that every result or consequence of the act, i.e., the death of the attacker, was intended. The death

³³⁸ Gregory M. Reichberg, “Aquinas on Defensive Killing: A Case of Double Effect?” *The Thomist* 69.3 (July 2005): 346-347.

³³⁹ *Ibid.*, 347.

³⁴⁰ *Ibid.*, 347.

would be unintended but foreseen, a side-effect.³⁴¹ Joseph Boyle argues essentially that this distinction is at the heart of the meaning of *praeter intentionem* for Aquinas, i.e., of what is beside the intention. The act of self-defense, whatever it may be, is the object chosen for the end of saving one's life. Saving one's life is the end intended. The death of the attacker, according to Boyle, is not the means by which this is brought about, it is a possible or probable "foreseen causal consequence" of the act which is the means. Therefore, the death is not intended either as a means or as an end. It results from a voluntary or intentional act, but from that fact it does not follow that it is intended.³⁴²

The "crux" of the exegetical issue surrounding Aquinas' account of killing in self-defense is what "the proper understanding of what St. Thomas meant by his terms *intendere* and *non intendere*, *ex intentione* and *praeter intentionem*" is.³⁴³ There are two interpretive options available to us. Either Aquinas is in *ST* II-II Q. 64, a.7 using *intendere* in a narrow sense, to refer to the ultimate object of the will, the end, or he is using it in a broader sense to include both the intention of the end and the choice of the means.³⁴⁴ In the former case, we have the standard account of double effect; in the latter case, we have a possible permission for instrumental killing, killing chosen as a means to a licit end under certain circumstances.

While 'intention' in colloquial English is ambiguous respecting the type of intention involved, whether of ends or means, Aquinas' Latin term *intendere* and its noun form *intentio* are less ambiguous. In the *Prima Secundae* of the *Summa Theologica*, question 12 deals with *intendere* and its senses. Article 2 asks "Whether intention is only

³⁴¹ Anscombe, "Medalist's Address," 21.

³⁴² Boyle, "*Praeter Intentionem*," 656-57; 662-665.

³⁴³ Mangan, 44.

³⁴⁴ Mangan, 44-45; Boyle, "*Praeter Intentionem*," 650-54; Reichberg, 341-42; 363-67.

of the last end?" (*Videtur quod intentio sit tantum ultimi finis*). Aquinas answers that intentions are not only of the last end, namely, happiness, but also of other ends because while "intention regards the end as a terminus of the movement of the will," the term *terminus* is ambiguous because it can mean either the last end or some "middle point" (*medium*) "which is the beginning of one part of the movement, and the end or terminus of the other." To illustrate, Aquinas gives a geometric example, of a movement between points A and C which passes through point B; while C is the last terminus, B is a terminus for part of the movement. He concludes that while the intention of the will always concerns the end, it need not be the last or final end.³⁴⁵ This conclusion is, however, ambiguous because the use of a middle point (*medium*) suggests that intention might also be of the means chosen as well.

Aquinas deals further with the question of whether 'intention' also extends to the means in article 4 of Question 12 (*Videtur quod non sit unus et idem motus intentio finis, et voluntas eius quod est ad finem*), and his answer is a qualified 'yes' – the qualification being most important. The movement of the will to the end and the movement of the will to the means can be considered in two ways:

First, according as the will is moved to each of the aforesaid absolutely and in itself. And thus there are really two movements of the will to them. (*Uno modo, secundum quod voluntas in utrumque fertur absolute et secundum se. Et sic sunt simpliciter duo motus voluntatis in utrumque*). Secondly, it may be considered accordingly as the will is moved to the means for the sake of the end: and thus the movement of the will to the end and its movement to the means are one and the same thing.

³⁴⁵ This and the following passages from *ST I-II*, Q. 12 are also cited by Boyle, "Praeter Intentionem" 650-652. However, we disagree with Boyle's interpretation of the passages, as we will elaborate.

St. Thomas illustrates the second way of understanding the movement of the will with the example of saying that "I wish to take medicine for the sake of health," signifies nothing more than one movement of the will, "because the end is the reason for willing the means." Thus, the whole movement is one act by reference to the end, although it can have discernible parts, i.e., the choices made in light of or for the end. For Boyle, this passage is the firmest piece of evidence for rejecting any interpretation of *ST* II-II, Q. 64 a. 7 which allows for instrumental killing because *intentio* here covers both the ends and the means.³⁴⁶ The passage does not end the argument, *pace* Boyle, because it is still open to an interpreter to assert that Thomas is using *intendere* in the first of the senses mentioned in distinction to the choice (*electio*) or means.

A strong argument for the narrower interpretation of *intendere* and *intentio* comes in the *Summa Contra Gentiles*. In part III, chapter 5.2, Aquinas presents "Arguments which seem to prove that evil is not apart from intention [*praeter intentionem*]."³⁴⁷ The most potent argument is the second one presented, which contrasts what is *praeter intentionem* with what is fortuitous or by chance, things which rarely happen. The problem with saying that evil can occur *praeter intentionem* is that "the occurrence of evil is not called fortuitous, a matter of chance, nor does it happen rarely, but always or in most cases." The prevalence of sin in human actions and choices, so the argument goes, weighs heavily against evil being apart from or beside intention (*SCG*, III, 5.2). Likewise, we are also held accountable for the consequences which happen as result of our actions, even if they were not the intended goal (*SCG* III, 5.7). In response,

³⁴⁶ Boyle, "*Praeter Intentionem*," 653-54; cited also in Reichberg, 350.

³⁴⁷ All of the English translations of the *Summa Contra Gentiles* which we will be using are taken from *Summa Contra Gentiles*, vol. 3, trans. Vernon J. Bourke (Notre Dame: University of Notre Dame Press, 1975). In lieu of page numbers we have given the chapter and section numbers which correspond to the Latin edition also cited.

Aquinas cites Aristotle's example of a "mixed" action from the third book of the *Nicomachean Ethics*: "In the example of the man who throws his merchandise into the sea in order to save himself, he does not intend (*non intendit*) the throwing away of the merchandise but his own safety; yet he wills (*vult*) the throwing not for itself (*non simpliciter*) but for the sake of safety (*sed causa salutis*)" (*SCG* III, 6.9).³⁴⁸ Although evil can be *praeter intentionem* it is, according to Aquinas, voluntary (*voluntarium*), "For intention is directed to an ultimate end which a person wills for its own sake, but the will may also be directed to that which a person wills for the sake of something else (*vult propter aliud*), even if he would not will it simply for itself." In the *Summa Theologica*, I-II, Q. 8, a. 2, Aquinas says that the proper act of the will is of the end; however, the will also wills the means, which are good "not in themselves, but as referred to the end." This suggests that that the act of the will designated here, as well as in *ST* II-II, Q. 64, a. 7, is the act of choice (*electio*), and that what is *praeter intentionem* in these cases, although not always, is the means.

The passage from the *Summa Contra Gentiles* has drawn significant attention in the debate over whether Aquinas is a proponent or forbear of what has become the Doctrine of Double Effect. Boyle discounts the passage on the grounds that the limiting of intention to the ultimate end is inconsistent with Aquinas' other works, especially *ST* I-II, Q. 12, a. 2, which we treated above. Likewise, Aquinas never explicitly says that the throwing of the cargo overboard is *praeter intentionem*, although it is strongly suggested

³⁴⁸ *Ex quo patet quod, licet malum praeter intentionem sit, est tamen voluntarium, ut secunda ratio proponit, licet non per se, sed per accidens. Intentio enim est ultimi finis, quem quis propter se vult: voluntas autem est eius etiam quod quis vult propter aliud, etiam si simpliciter non vellet; sicut qui proiicit merces in mari causa salutis, non intendit proiectionem mercium, sed salutem, proiectionem autem vult non simpliciter, sed causa salutis. Similiter propter aliquod bonum sensibile consequendum aliquis vult facere inordinatam actionem, non intendens inordinationem, neque volens eam simpliciter, sed propter hoc. Et ideo hoc modo malitia et peccatum dicuntur esse voluntaria, sicut proiectio mercium in mari. SCG, c. 6.9*

by the context. Boyle resolves these issues by suggesting that Aquinas is using *praeter intentionem* in a narrower and stricter sense in the *Summa Contra Gentiles* than he does in the *Summa Theologica*.³⁴⁹ Mangan, writing earlier, noted the same facts and argued that Aquinas' thought was in development between the two works.³⁵⁰ Reichberg, against Mangan and Boyle, correctly argues that this interpretation will not do, since *praeter intentionem* is discussed "under the heading of the 'mixed voluntary'," whereby "an act that one ordinarily finds repulsive, hence 'nonvoluntary' in the sense of being antithetical to the will, can nevertheless be rationally desired (chosen) under circumstance of imminent danger."³⁵¹ Thus, if *praeter intentionem* is being used in the same way in the question on homicide, Aquinas can be read as saying that the killing of the attacker is the *means* by which the end of self defense is realized, one necessitated by the circumstances. Likewise, the act is, without qualification, voluntary, but with respect to the circumstances, involuntary and deserving of pardon.³⁵² We may add that there is no need to posit a discrepancy between the *Summa Contra Gentiles* and the *Summa Theologica* on the senses of *praeter intentionem*, *intendere*, and *intentio*: it is clear that *praeter intentionem* is ambiguous, and the ambiguity hinges on the two senses of what it is to intend (*intendere*, *intentio*) identified explicitly in the *Summa Theologica*. Aquinas overcomes the paradoxes surrounding the evil that occurs *praeter intentionem* by appealing to a narrower sense of intention, which is identified in *both* works.³⁵³

³⁴⁹ Boyle, "Praeter Intentionem," 654-55.

³⁵⁰ Mangan, 47-48. Mangan makes his argument in response to Alonso. I have not had access to Alonso's work, which appears to be incredibly insightful, but I do wish to note that I am in substantial agreement with Alonso's argument as presented by Mangan, Boyle, and Reichberg.

³⁵¹ Reichberg, 350.

³⁵² See Aristotle, *Nicomachean Ethics* III, 1 1110a20-26; Aquinas, *ST* I-II, Q. 6, a. 6.

³⁵³ Boyle, "Praeter Intentionem," p. 655. Boyle argues that the *Summa Contra Gentiles* is inconsistent with the *Summa Theologica* I-II, Q. 12, a. 2 because the limited sense of intention is not used in the latter. As we have clearly shown, it is.

Reichberg's interpretation is substantially the same as that of the Dominican Francisco de Vitoria.³⁵⁴ Vitoria, writing in the first half of the 16th Century, addresses the possible interpretations of Aquinas' treatment of killing in self-defense, and he rejects what amounts to the modern understanding of double effect on his understanding of intention and will. According to Vitoria, Aquinas comes to three conclusions about killing in self-defense: 1) "it is not unlawful to kill an attacker"; 2) "*It is lawful to kill another in self-defense*" supposing that this is "within the bounds of blameless self-defense"; 3) even within those bounds, "it is not lawful to intend to kill a man, as in revenge while defending oneself."³⁵⁵ The third conclusion, he notes, raises a number of doubts about the nature of the intention that an agent who kills in self-defense may have. On the one hand, we may reject Aquinas' distinction between will or choice and intention, and argue that if it is licit to will to kill an attacker it is licit to intend to kill the attacker.³⁵⁶ Vitoria rejects this approach. On the other hand, we might argue that since it is unlawful to intend to kill the attacker it is unlawful to will it. Vitoria rejects this approach as well but presents it at greater length. One might argue, Vitoria says, that it is not necessary, in principle, to kill an attacker in order to defend oneself: one may simply will to "use my shield and fight" without also willing to kill. Therefore, "it is not necessary to will to kill, but it is enough to will to defend oneself."³⁵⁷ It may be necessary that some state of affairs be created, i.e., the death of the attacker; however, it

³⁵⁴ Reichberg makes many references to Vitoria, including references to the passage I examine here, but he does not go through it at any length, as I do here. I have done this to make it clear that the position I am arguing for is not new.

³⁵⁵ Francisco de Vitoria, *Reflections on Homicide and Commentary on the Summa Theologiae IIa-IIae Q. 64*, trans. John P. Doyle (Milwaukee: Marquette University Press, 1997), 193. This is a bilingual edition with Vitoria's Latin text on the page facing the English translation. All Latin references for this work are from the same. The italics are Doyle's, not mine.

³⁵⁶ *Ibid.*, 193. Vitoria gives this as the opinion of several unnamed contemporaries.

³⁵⁷ *Ibid.*, 193-95.

may not be necessary to will that specific state of affairs be brought about, but only to will some other action that will bring about the same result, e.g., one may will to strike with a weapon but not to kill. Likewise with a case of amputation, where one might argue that, “when to save my life the amputation of an arm is necessary, the necessary amputation of the arm is lawful, but not the willing of that amputation.”³⁵⁸

In response to the suggested distinction that we might allow that the killing of the attacker is lawful but not the willing of the killing of the attacker, Vitoria says that “God has no regard for such sophisms.” He considers this sophistical because there are some means available for self-defense that causally entail the death of the attacker, and there are some circumstances in which there are no other means available. He uses a then novel example of an arquebus, a primitive firearm. If someone has no other weapon than an arquebus, “then it is clear that he cannot defend himself except by killing.”³⁵⁹ An arquebus is much like a modern shotgun, not very accurate but lethal at close range; if one shoots an attacker with an arquebus at close range, there is little likelihood that attacker will survive. It seems farcical to suppose that in shooting such a weapon that the defender can will something other than death to his attacker. Therefore, it is lawful to will to kill; however, Vitoria denies that this entails that it is lawful to intend to kill. Vitoria denies that willing to kill in self-defense, when there are no other means available, entails intending to kill in self-defense, and he does so on the basis of the distinction we have already examined between the senses of intention. “For there is a difference,” Vitoria says, “between choice and an intention, because an intention is of

³⁵⁸ *Ibid.*, 195.

³⁵⁹ *Ibid.*

that which is directly intended as an end.”³⁶⁰ One cannot intend the death of another as an end in itself, as would be the case of one killing in revenge; however, one can will or ‘choose’ to kill for the sake of another end, for self-defense for instance. Likewise, one can will to amputate one’s gangrenous arm, but that does not entail that one intends this as an end, as some form of self-mutilation. Vitoria concludes that it is lawful “to will, but not to intend, all that is necessary for defense.”³⁶¹

The interpretation given by Vitoria was by no means novel or unique; it is also the interpretation of other noteworthy commentators such as the Jesuits Leonardus Lessius and Gabriel Vasquez, the Dominican Dominicus De Soto, and even the Protestant father of international law, Hugo Grotius.³⁶² The notable exception to the general consensus on Aquinas’ treatment of killing in self-defense prior to the late seventeenth century is Cardinal Cajetan, a contemporary of Vitoria. It is he whom both Mangan and Boyle credit with the beginnings of the ‘modern’ teachings on double effect, namely with prohibiting the intention of killing as a *means* to self defense.³⁶³ From Cajetan to the present, the formal Doctrine of Double Effect as we know it seems to have developed in moral theology at Salamanca in the mid to late 16th Century, and became a component of Jesuit casuistry, culminating in the widely read *Compendium theologiae moralis* of Gury in 1874.³⁶⁴

³⁶⁰ *Ibid.*, 194: “*quia differentia est inter electionem et intentionem, quia intentio est ejus quod per se intentum est ut finis.*”

³⁶¹ *Ibid.*

³⁶² Mangan, 45; Reichberg, 348; 352-53. Mangan concedes the predominance of this interpretation in the Jesuits and Dominicans named; although he curiously misreads or miscites Vitoria on this point (see Reichberg, 348, footnote 17). Reichberg offers an extended discussion of Grotius’ remarks on self-defense in reference to Aquinas.

³⁶³ Mangan, 52-56; Boyle, “*Praeter Intentionem*”, 661; see also Reichberg, 350.

³⁶⁴ Mangan, 56-60; Kaczor, 300-302.

Our interpretation of Aquinas, following Reichberg and Vitoria, runs into a substantial and difficult objection: How does this interpretation square with St. Paul's admonition that we should not do evil that good may come of it in Romans 3:8? Among contemporary proponents of Double Effect, Romans 3:8 is a critical passage supporting the use of the distinction between intention and foresight as well as the prohibition of intending instrumental harm. In Romans 3:8 Paul responds to some early Christian believers who "opined that wrongdoing (sin) is tolerable or even desirable because it affords occasion for God to accomplish his redemptive work."³⁶⁵ Paul denies what these believers say, namely "Let us do evil, that good may come" and says this is slanderously attributed to him. Those who hold such a view are, he says, justly damned.³⁶⁶ John Finnis states the principle of this admonition as, "Do not do evil, even for the sake of good," and calls this the "Pauline Principle."³⁶⁷ It seems that our interpretation contradicts this principle, and it would therefore seem that we would be arguing that Aquinas' views on self-defense blatantly contradict a fundamental principle of his religious tradition. Likewise, philosophically, we would seem to be guilty of precisely the kind of consequentialism we are trying to avoid. Therefore, we must answer this charge, and in order to do this, we must show how our interpretation of Aquinas, and Aquinas himself, avoids these obstacles.

Since Romans 3:8 is given such weight, it is profitable to look for citations of it elsewhere in the *Summa Theologica*. Given its connection to Double Effect, it is surprising that it is not cited in *ST* II-II, Q. 64 a. 7, the article on self-defense. It is,

³⁶⁵ Finnis, *Fundamentals of Ethics* (London: Georgetown University Press, 1983), 110.

³⁶⁶ I have chosen the King James translation of the Bible for this quote and have added a paraphrase, as the original verse does not lend itself to be quoted out of context.

³⁶⁷ Finnis, *Fundamentals*, 111.

however, cited in a response to an objection in a prior article in the same question on suicide. In *ST* II-II, Q. 64 a. 5, “Whether it is lawful to kill oneself?”, the third objection argues that it may be lawful to do kill oneself in order to avoid a greater evil, like “an unhappy life or the shame of sin.” Aquinas’ response to the objection comes in two parts. First, citing Aristotle, he claims that the greatest evil in this life is death. To choose death to escape other afflictions is therefore to choose the greater evil. Second, he argues that there is no sin without the consent of the will. Therefore, one need not choose death to avoid sin, since there can be no shame unless one consents to the sin. In support of this Aquinas says, “Again it is not lawful for anyone to take his own life for fear he should consent to sin, because ‘evil must not be done that good may come’ (Romans 3:8)” both because the present evil may be of little importance compared to death and one’s future consent to sin is not fated, but also because God can deliver man from any temptation. The structure of the response suggests that it is always wrong to kill oneself because death is worse than anything else one can suffer or choose to suffer in this life. Therefore, the means (suicide) and the end (the avoidance of greater evil) are at odds with one another because the greater evil is being chosen as a means to avoid the greater evil.³⁶⁸ Aquinas wishes to illustrate the contradiction inherent in the position of one advocating suicide. There is no similar logical contradiction in the case of killing in self defense: one’s life will be saved with the death of the attacker.

Another place Aquinas cites Romans 3:8 is in his treatment of “fraternal correction” in *ST* II-II, Q. 33, a. 6, and this citation sheds more light on the relationship between ends and means. The question posed by the sixth article is: “Whether one ought

³⁶⁸ I believe that Aquinas is here using evil in the sense of harm. Death is certainly the greatest harm or injury which can befall a person; however, the moral evil comes in the choice of death over some other harm. We will address this issue again below.

to forbear from correcting someone through fear lest he become worse?” The third objection argues that one should never forbear correction:

Further, according to the Apostle [Romans 3:8] we should not do evil that good may come of it. Therefore, in like manner, good should not be omitted lest evil befall. Now fraternal correction is a good thing. Therefore it should not be omitted for fear lest the person corrected become worse (*ST II-II, Q. 33, a. 6, Obj. 3*).

The objection assumes that correction is always good and lack of correction is always an evil when someone is in error. Therefore, even though refraining from correction might bring about improvement in another, or at least not make them worse, the Apostolic prohibition would seem to forbid leaving our erring brother alone. In response, Aquinas argues that:

Whatever is directed to the end becomes good through being directed to the end. Hence whenever fraternal correction hinders the end, namely the amendment of our brother, it is no longer good, so that when such a correction is omitted, good is not omitted lest evil should befall (*ST II-II, Q. 33, a. 6, resp. 3*).

Failing to correct someone in error is sometimes but not always an evil; the act of correction is good or bad by reference to the end and whether the act will produce the good end. This is in line with Aquinas’ statements in *ST I-II, Q. 18, a. 6*, that human actions derive their moral species from the ends for which they are performed.

There is some ambiguity, however, about which end properly specifies a human action, e.g., as theft or adultery: Is it the proximate or remote end? Aquinas uses a number of terms to specify the different relations that ends can have to one another and to actions in both the *Summa Theologica* and his other works, the most significant for our purposes being the pair of terms proximate and remote. The explicit division of ends into

these two categories is made in the *Summa Theologica* (I-II, Q. 1, a. 3, resp. 3) and in *De Malo* (Q. 2, a. 4 resp. 9; a. 7, resp. 8); however, Aquinas often divides ends into ordered pairs, one being pursued for the sake of the other, which corresponds to the distinction between proximate and remote ends.³⁶⁹ In some passages, Aquinas seems to state that the proximate end specifies an action; in others, it seems that the remote end gives the act its moral species.³⁷⁰ There are philosophical difficulties with whichever end one chooses to morally specify actions. If we rely solely on remote ends, as Joseph Pilsner correctly observes, it “would seem to lead to the untenable consequence of fusing all human actions into a single species”; that is, all actions would be of one kind, for instance, no distinction would be made between a brave act and a just one, both falling under the species of charity.³⁷¹ However, if we rely only on the proximate end, we seem to run into the fact that one proximate end may be ordered to any number of higher order ends, which are significant both morally and in the description of an action. Committing adultery for financial gain seems distinguishable from committing adultery for pleasure; they are different because of the further intentions of the agent, and this affects our moral evaluation of the actions. Both actions are morally bad *qua* adultery; however, adultery motivated by financial gain might be worse because more calculating.³⁷² It seems that Aquinas holds that both the remote and the proximate end can specify an action. This raises a very important terminological issue because metaphysically speaking an entity

³⁶⁹ Joseph Pilsner, *The Specification of Human Actions in St. Thomas Aquinas* (Oxford: Oxford University Press, 2006), 218-219. Pilsner cites *De Malo*, Q. 2, a.4, response 9; a. 7, response 8

³⁷⁰ *Ibid.*, 219-223. Pilsner cites the following passages for the priority of the proximate end in moral specification: *De Malo*, Q. 2, a. 4, resp. 9; a. 6, resp. 9, Q. 8, a. 1, resp. 14; *ST* I-II, Q. 1, a. 3, resp. 3; I-II Q. 60, a. 1, resp. 3. Pilsner cites the following passages for the priority of the remote end in moral specification: *ST* I-II, Q. 18, a. 6, resp. 2; I-II, Q. 75, a. 4; *Commentary on the Nicomachean Ethics*, V, Lect. 3, n. 4.

³⁷¹ *Ibid.*, 221.

³⁷² *Ibid.*, 219, 225. The example here cited is taken from Pilsner who takes it from Aquinas’ *Commentary on the Nicomachean Ethics* V, Lect. 3, n. 4

cannot have more than one species. If an act receives different species from its proximate and remote ends, it would seem to have one species too many.

The term ‘species’ does not have the same meaning in reference to action as it does in reference to the metaphysical make up of substances, and its use by Aquinas in reference to action is ambiguous. In the *Disputed Questions on Virtue* (*Quaestiones disputatae de virtutibus*), Aquinas argues that while one form cannot literally be the form of another form as a material subject, more than one form can inhere in the same subject, “according to a certain order, such that one is formal with respect to the other” (*De Virtut. Q. 2 (de caritate quaestio unica)*, a. 3, resp. 2).³⁷³ Aquinas makes this point to explain how the cardinal virtues, like charity, can give a second form to an action which is already specified by its proximate end. In the *Summa Theologica*, argues that something can be general in two ways: by predication and virtually. In the first case, for example, animal is general by predication to man and horse: it is “essentially the same for those things for which it is general, because a genus pertains to the essence of a species and falls within its definition.” In the second case, a virtue, like justice, can be general virtually “insofar as it orders the acts of other virtues to its own end, that is, to move all other virtues through command” (*ST II-II*, Q. 58, a. 6). The relationship between the two forms, and likewise between the two kinds of species, is hierarchical where one is ordered to and by the other.³⁷⁴ This ordering is like the relationship between a genus and a species, and in *ST II-II*, Q. 11, a. 1, resp. 2, Aquinas argues that the remote end is to the

³⁷³ *Ibid.*, 227-28. Here and in what follows I present Pilsner’s argument with direct citations from the works he cites, although I do not proceed in exactly the same sequence as Pilsner’s argument. The translation used here is provided by Pilsner. The Latin titles are from the *Library of Latin Texts*, Series A, accessed through Brepolis Online Database through the Boston College Library Portal.

³⁷⁴ *Ibid.* 229-31.

proximate end as the genus is to the species.³⁷⁵ Thus, we can see how an act can have two species in the sense that a proximate end is ordered to and by a remote end. The proximate end explains, directs, and causes the present action and the remote end explains, directs and causes the proximate end.

Aquinas' different emphasis on the way in which different ends can specify actions follows from two different ways Aquinas approaches action description and evaluation: *secundum suam speciem* (according to its species) or *secundum individuum* (according to the individual act) (ST I-II, Q. 18, a. 8; a. 9).³⁷⁶ These approaches are differentiated by Pilsner in the following manner:

The first approach considers human actions as kinds, abstracted from any ends to which they might be directed, while the second considers human actions in so far as they exist in reality, that is with all of the particular conditions of an individual situation, including any further ends.³⁷⁷

Prescinding from the consideration of further ends, some species of actions are indifferent; however, with respect to individual actions which are fully determined by the agent's intentions and circumstances, every individual action is good or bad (ST I-II, q. 18, a. 8; a. 9). It is according to the species that the proximate end sufficiently specifies an action and the remote end does not.³⁷⁸ When Aquinas focuses on particular actions, as he often does in responding to objections, "he is wondering what the species of an action would be in a case where a particular proximate end (like theft) *is already being ordered* to a particular remote end (like murdering or almsgiving)."³⁷⁹ Such considerations are far

³⁷⁵ *Ibid.*, 229.

³⁷⁶ *Ibid.* 234.

³⁷⁷ *Ibid.*

³⁷⁸ *Ibid.*, 235-36.

³⁷⁹ *Ibid.*, 237.

from trivial: a good proximate end can be put to a bad use for the purposes of a remote end, and a good remote end can be sought through an illicit proximate end.

The contrast between these two approaches is substantially the same as the contemporary contrast between thin and thick descriptions of actions. When we give a thick description of action, the remote end gains prominence as that to which all the subordinate ends are ordered. The thicker the description, the more aspects of a particular action are revealed.³⁸⁰ Each end is being intended at the same time, but not in exactly the same way, and both bring a specification to the action.³⁸¹ While the use of the terms genus and species with respect to action descriptions in Aquinas is equivocal, the relationship between proximate and remote ends is no mere accident. As Pilsner concludes: “Thomas believes that, when one is sought *precisely for the sake of another*, the relation between them is not longer accidental, but essential.”³⁸² The remote end is not extrinsic to the present proximate end being pursued or to the present action, because it is what gives direction to both.

While approaching actions *secundum individuum* through a full, thick description of an agent’s motives and intentions gives them the most accurate and detailed moral specification, an act can sometimes be specified as evil only by reference to the proximate end. Some proximate ends sufficiently specify an action’s moral quality such that no subsequent remote end can render the action morally licit.³⁸³ Theft, for instance, is defined by Aquinas as the “taking another’s thing secretly” (*ST* II-II, Q. 66, a. 3). As such, theft is always a sin, being contrary to justice by the taking of what belongs

³⁸⁰ The comparison to thin and thick descriptions is my own.

³⁸¹ Pilsner, 237.

³⁸² *Ibid.*, 238.

³⁸³ See Pilsner, 236. Pilsner uses murder as such a proximate end although he goes on to analogize it with theft. We will reconsider the example of murder below in contrast to killing in self-defense.

rightfully to another and through the use of fraud (*ST* II-II, Q. 66, a.5). However, not every taking of another's thing, according to Aquinas, is theft: "In cases of need all things are common property, so that there would seem to be no sin in taking another's property, for need has made it common" (*ST* II-II, Q. 66, a. 7). Circumstances may be such as to nullify the claim one man has to the sole private use of his property:

if the need be so manifest and urgent, that it is evident that the present need must be remedied by whatever means be at hand (for instance when a person is in some imminent danger, and there is no other possible remedy), then it is lawful for a man to succor his own need by means of another's property, by taking it either openly or secretly: nor is this properly speaking theft or robbery (*ST* II-II, Q. 66, a. 7).

The circumstance of dire need can change the relevant moral relationship between human agents. Such a circumstance is not accidental to an act, but helps to specify it, by reference to reason; for without it, the taking would not be done.³⁸⁴

There is a similar qualification of licit and illicit killing in Aquinas' treatment of homicide. Aquinas does not offer a definition of murder as he does of theft; however, in his treatment of the Decalogue, he comes close. In *ST* I-II, Q. 100, a. 8, the third objection argues that the precepts of the Decalogue are dispensable, and cites the

³⁸⁴ See *ST* I-II, Q. 18, a. 10. Here Aquinas says: "But the process of reason is not fixed to one particular term, for at any point it can still proceed further. And consequently that which, in one action, is taken as a circumstance added to the object that specifies the action, can again be taken by the directing reason, as the principal condition of the object that determines the action's species. Thus to appropriate another's property is specified by reason of the property being 'another's,' and in this respect it is placed in the species of theft; and if we consider that action also in its bearing on place or time, then this will be an additional circumstance. But since the reason can direct as to place, time, and the like, it may happen that the condition as to place, in relation to the object, is considered as being in disaccord with reason: for instance, reason forbids damage to be done to a holy place. Consequently to steal from a holy place has an additional repugnance to the order of reason. And thus place, which was first of all considered as a circumstance, is considered here as the principal condition of the object, and as itself repugnant to reason. And in this way, whenever a circumstance has a special relation to reason, either for or against, it must needs specify the moral action whether good or bad." As Pilsner notes of this passage and others, 'object' here is being used in reference to the proximate rather than the remote end of the action; see Pilsner, 133-37.

Commandment ‘Thou shalt not kill’. Since it is proper that “evil-doers” and “enemies” are lawfully put to death, it seems that the precept is dispensable. In response to the objection, Aquinas says:

The slaying of a man is forbidden in the Decalogue, in so far as it bears the character of something undue: for in this sense the precept contains the very essence of justice. Human law cannot make it lawful for a man to be slain unduly. But it is not undue for evil-doers or foes of the common weal to be slain: hence this is not contrary to the precept of the Decalogue; and such a killing is no murder as forbidden by that precept (*ST I-II, Q. 100, a. 8*).

Murder is an undue killing. As Pilsner describes it, the proximate end of murder is “taking the life of an innocent person.” Such an end is self-sufficient for determining the species of the resultant act as evil.³⁸⁵ However, we must note that the killing of another is not *per se* morally wrong or unlawful; otherwise, even judicial killings would be morally wrong. Rather, the proximate end must be specified to include the condition of the person being killed, and this condition is not accidental to determining the species of the act but is essential in distinguishing morally licit from morally illicit forms of homicide.³⁸⁶ In *ST II-II, Q. 64, a. 7*, the killing is not undue because one is killing an unjust and unlawful attacker in order to save one’s own life. Just as the condition of dire need is relevant to specifying the act of taking of another’s possessions, so too the condition of being unjustly and violently attacked is relevant to specifying the act of killing.

With this in mind, we can see that our interpretation of Aquinas’ account of killing in self-defense does not violate the ‘Pauline Principle’ of Romans 3:8. Killing is indifferent as to its species and the proximate end of self-defense gives *prima facie*

³⁸⁵ Pilsner, 236.

³⁸⁶ See note above. See also Pilsner, 119, for corroboration that killing is indifferent as to its species.

grounds to consider the killing morally licit. It is not sufficient to give the act of killing its moral species because one might be defending oneself in pursuit of a criminal or immoral remote end: for instance, a man might be a burglar defending himself against a homeowner. Therefore, provided the defender is innocent, there may be doing of evil that good may result. Our interpretation likewise does not violate the claim Aquinas makes in *ST* I-II, Q. 20, a.2 that “for a thing to be evil, one single defect suffices, whereas, for it to be good simply, it is not enough for it to be good in one point only, it must be good in every respect.” As he says in the same article, “we may consider a twofold goodness or malice in the external action: one in respect of due matter and circumstances; the other in respect of the order to the end.” The defender’s intended end of self-defense is licit and the act chosen by the defender is measured by reason to the pursuit of that end by the killing of an unjust attacker when the defender’s life is threatened. There is, therefore, no evil aspect to the action. We must be careful here to distinguish between the harm done to the attacker and moral evil. Aquinas licenses the instrumental use of harm which is not the same thing as licensing evil acts. The doing of harm -- for killing or injuring are certainly harms -- is bad to the one who suffers it, but it is not necessarily doing evil.³⁸⁷

In the argument we have made thus far, we have extended the license to kill in self-defense to private individuals, without respect to public office and the common good.

This might seem a problem given the end of the main body of *ST* I-II, Q. 64, a. 7, where

³⁸⁷ Here I follow John Finnis in reserving the phrase ‘doing evil’ for wrong-doing rather than for doing harm, like a physical injury, which is sometimes called a ‘pre-moral evil’. Finnis uses the example of life-saving amputation to illustrate the difference. Some ethicists say that an amputation is an “imperfect act” because of the evil of the loss of a limb. Against this, Finnis argues, “But the life-saving acts of amputation are not imperfect; they are not even *doing evil*, not at all, not even a little bit . . .” While I disagree with Finnis, interpretation of Aquinas’ account of killing in self defense, I agree with his distinction here, and I would say that the interpretation I have offered makes precisely this point. The chosen killing is not evil. See Finnis, *Fundamentals*, 113.

Aquinas says, “it is not lawful for a man to intend killing a man in self-defense, except for such as have public authority, who while intending to kill a man in self-defense, refer this to the public good.” The limitation of a permission on defensive killing to agents acting in a public capacity may seem a substantial objection to our interpretation, but we can defuse this objection in two ways. In the first way, we may grant that there is a restriction on defensive killing and this would still not substantially change the account we have offered. This is because Aquinas allows killing by public officials for the sake of the common good. Therefore, the intention of the end, i.e., the promotion of the common good, justifies the choice of the action, i.e., the killing. The article on self-defense would therefore be following article 2, where Aquinas argues that it is licit to kill sinners. In the second way, we need not grant that Aquinas makes no exceptions for defensive killing by private individuals. That this is actually the case is indicated by several facts. First, Aquinas has already established that it is lawful for public officials to kill criminals for the common good; hence, the article on killing in self-defense would be superfluous if it were meant only to establish that point. Second, as the basis for arguing that killing in self-defense is morally licit Aquinas claims that “it is natural to everything to keep itself in being, as far as possible,” and that “one is bound to take more care of one's own life than of another's,” and these claims extend to all men and not simply public officials. Third and finally, in the *sed contra*, Aquinas says:

It is written [*Exodus* 22:2]: “If a thief be found breaking into a house or undermining it, and be wounded so as to die; he that slew him shall not be guilty of blood.” Now it is much more lawful to defend one's life than one's house. Therefore neither is a man guilty of murder if he kill another in defense of his own life (*ST* II-II, Q. 64, a. 7).

The case presented here is one of a private individual defending his property with lethal force; moreover, the example itself has the authority of Scripture. These facts would seem to indicate that there is, at most, a *prima facie* restriction of the use of lethal force to public officials acting in accordance with the public good, but not an absolute one.³⁸⁸

It is important to note that Aquinas' approach to defensive killing avoids the charge of consequentialism while not invoking the distinction between intention and foresight. As Aquinas says in *ST* I-II, Q. 20, a. 2, that "which is in respect of the order to the end, depends entirely on the will: while that which is in respect of due matter or circumstances, depends on the reason: and on this goodness depends the goodness of the will, in so far as the will tends towards it." There is a reciprocal relationship between reason and the will as in human action, both are joined in choice (*electio*) (*ST* I-II, Q. 13, a. 2). The circumstances pertaining to an action enter into an intention to act through reason and deliberation. Therefore, a good end, remote or proximate, "is not enough to make the external action good: and if the will be evil either by reason of its intention of the end, or by reason of the act willed, it follows that the external action is evil" (*ST* I-II, Q. 20, a. 2). The agent's cognizance of his circumstances as well as his rationally measured response enter into his choice of action, which we might call in English the proximate intention with which he acts.³⁸⁹ Therefore, the agent's intention, broadly speaking to include both the intention of the end and the choice of the means, is still the

³⁸⁸ I am indebted to Gareth Matthews, "Saint Thomas and the Principle of Double Effect," *Aquinas's Moral Theory: Essays in Honor of Norman Kretzman*, ed. Scott MacDonald and Eleonore Stump (Ithaca: Cornell University Press, 1999), 75. Matthews does not give any real argument for his conclusion that the restriction of the permission to use lethal force is only a *prima facie* prohibition – in fact it appears only in Matthews' précis of *ST* II-II, Q. 64, a. 7. The argument I make above is my own, but I was inspired by Matthews' précis.

³⁸⁹ I would distinguish here between the 'proximate intention *with* which an agent acts' and the 'proximate intention *for* which an agent acts': the former is a choice (*electio/prohairesis*); the latter is a proximate end, in Aquinas's terminology or a *boulēsis* in Aristotle's.

primary basis for the evaluation of an action. This analysis would seem to satisfy Anscombe's anti-consequentialist criteria that "a man is responsible for the bad consequences of his bad actions, but gets no credit for the good ones; and contrariwise is not [morally] responsible for the bad consequences of good actions."³⁹⁰ That is to say, someone who kills in a rationally measured act of self-defense is not considered morally bad although they did in fact intentionally cause the death of the attacker because the act was good.

The idea that one can intentionally kill another human being and that that action can be morally good may strike some as being blatantly wrong, but this is because of the ambiguity both of the word and the concept of intention. As we have tried to show in our examination of Aquinas' treatment of killing in self-defense, both Aquinas' Latin term *intentio* as well as the English word 'intention' are ambiguous. They are ambiguous for two reasons. First, intentions themselves are related in hierarchically ordered chains corresponding to different ends, such that each end is intended but not all in the same manner; some are ordered to the fulfillment of others. Second, denoting these intentions' positions within this hierarchy with terms such as 'end', 'means', 'proximate end', 'remote end', etc. is relative to a given episode of action under discussion and can be revised almost indefinitely. The boundaries of a given episode of action can be expanded or contracted, such that the proximate end of one description is a remote end of another or the means in one description is an end in another. Aquinas often makes an appeal to reason (see *ST* I-II, Q. 18, a. 10) as the standard for how to judge the morally significant features of any action or actions. Though he gives many examples of reason specifying actions and their corresponding intentions and choices, he does not formulate a decidable

³⁹⁰ Anscombe, "Modern Moral Philosophy," 12.

procedure for applying the standard of reason to action descriptions and evaluations.³⁹¹

What is important throughout is that certain higher-order or remote ends justify certain lower-order or proximate ends and choices, but higher-order or remote ends are not capable of justifying every proximate end or choice. Therefore, the reason that it seems that intentional killing must always be wrong is because the intention supposed to motivate such an action is of some proximate end of vengeance or sadism, or some more general and remote end like genocide. However, as in the case of self-defense, it seems that an instrumental intention, an intention of means, what Aquinas denotes as choice or *electio* and Aristotle as *prohairesis*, can be licitly chosen for the sake of some other end, and not as an end in itself. While Aquinas and Aristotle denote this type of intentionality with specific terms, colloquial English usage is far less precise.

Aquinas and Aristotle are careful to distinguish the relative positions of different types of what we call intentions within an episode of human action with ordered pairs of terms like *intentio/electio* and *boulēsis/prohairesis*, which specify the end and the means respectively. They do this because the ordering of intentions is of critical importance both to the explanation and evaluation of action. An action is not sufficiently specified as good, for either Aquinas or Aristotle, until both the end and the means are known and described; although it can be specified as evil from the end alone. Many proponents of Double Effect, however, fail to adequately emphasize and distinguish the importance of the relative position of intentions within an agent's action plan or episode of action. Thus, Gury *et al.* assume that Aquinas is using *intendere* and *intentio* broadly, which he sometimes does, in passages where he is using them narrowly to specify the intention of

³⁹¹ See Pilsner, 119. Pilsner says that Thomas' description of the *ratio* of an "object" of human action, which Pilsner notes often refers to the proximate end of an action, is not explained in detail although examples are given.

the end rather than the intention of the means. They are not mistaken in believing that *electio* or choice is a kind of intention; however, they are mistaken in believing that it does not matter which kind of intention one is talking about in cases of intentional homicide. Proponents of Double Effect assume that to describe an act as killing already sufficiently specifies it as evil; whereas killing for Aquinas is indifferent as a species of action without further specification. Some proponents of Double Effect seem to assume that any harm intentionally inflicted on another is morally evil, without reference to the circumstances of the agent and the patient or the agent's intentions.³⁹² Proponents of Double Effect then "assimilate intending as a means to intending as an end" such that, like Thomas Nagel, they conclude, "to aim at evil, even as a means, is to have one's action guided by evil."³⁹³ Thus, there are two related errors. The first is an error with respect to the relationship between action description and intention, specifically the importance of both the intention of the end and the intention of the means in a full, thick action description. The second is an error with respect to the relationship between the intention of the end and the intention of the means: the intention of the end has priority in both explanation and justification because the intention of the means is directed to it.

For our purposes, with respect to the debate about the Simple View, we must make note of the various uses of intention and specify our own. First, while we distinguish between the intention of the end and the intention of the means, we do not use any specific technical term to denote this distinction; both are intentions. However, we try to signal the distinction by using phrases like 'intention of the end' or 'intention of the

³⁹² See Finnis, *Fundamentals*, 112-113. Finnis argues against such a Double Effect position, labeling it in that context "proportionalism," although he espouses another version Double Effect.

³⁹³ The first quotation is from McIntyre, 227; the second from Thomas Nagel, *The View from Nowhere* (New York: Oxford University Press, 1986), 181-182 [cited in McIntyre, 227].

means'. Second, we hold that for an agent to intend to *A* as a means entails that: 1) the agent intends to *A*; 2) the agent does *A* intentionally; 3) the agent has an intention to *A*; 4) the *A*-ing of the agent was intentional. Third, we also hold that for an agent to intend to *B* as an end: 1) the agent intends to *B*; 2) the agent does *B* intentionally; 3) the agent has an intention to *B*; 4) the *B*-ing of the agent was intentional. We use different letters, *A* and *B*, here to denote two different entities. *A* means to one end can be an end to another, but it cannot be both an end and a means at the same time in the same respect. Third, the four different locutions, verbal, adverbial, nominal, and adjectival are coextensive, so long as one retains reference to which sort of intention one is speaking about. That is not to say that the bare locution 'X does *A* intentionally' implies 'X intends to *A*' in colloquial usage; it does not. This is due to the ambiguity between the two senses of intention: the former expression is often *used* indiscriminately to cover cases of instrumental intending as well as intending as a means; the latter case is most often *used* to signify that the action was the purpose or goal of the agent. Keeping this ambiguity in mind and making the distinction between ends and means help to resolve the paradoxes arising from colloquial usage in Knobe's surveys.

One further point: While Aquinas takes pains to consistently distinguish *intentio* and *electio*, Aristotle, as we have seen in part one, often uses *prohairesis* to refer to a proximate end of an action or even to more general ends at the same time as he defines its strict use more narrowly. While Aquinas' precision is admirable, we will be using intention broadly to cover both the intention of the means and the intention of the end, but distinguishing where necessary between the relevant types of intention, of the end and of the means. The distinction between the intention of the end and the intention of the

means also has further application to different types of adverbial and adjectival modifications of intention locutions. That is to say, means are usually directly, conditionally, immediately, and proximally intended, while ends are indirectly, unconditionally, and remotely or distally intended. Means are intended so long as they will be effective under the circumstances for bringing about the end. Ends are, as Aristotle held, held constant at least for some stretch of action or practical reasoning. Ultimately, most ends are conditionally intended as means to other ends.

Our exegesis of Aquinas thus far has yielded some significant results. We have shown that the relatively recent treatment of Aquinas' account of self-defense misreads him to suggest that the death of an attacker cannot be intended, in the broader, English sense of intend, but must result as a side-effect. On our reading, the death may be licitly chosen in certain circumstances as a means and, in such a case, is not a side-effect. This means that the distinction between intention and foresight as it is used by proponents of Double Effect does not apply to this paradigmatic case. Likewise, we have shown that the rejection of the distinction between intention and foresight as it applies to case of self-defense does not entail consequentialism because of the way in which actions are related to intentions in Aquinas' treatment. From these results, it follows -- at least for the case of killing in self-defense -- that the rejection of the distinction between intention and foresight does not of itself cause irrational intentions to be attributed to agents or for grossly inaccurate accounts of an agent's intentions to be given.

As significant as these findings are, they do not necessarily overcome the objections of Bratman, Harman, and Knobe on the intentionality of side-effects. Our argument about killing in self-defense has argued precisely that it is not a side-effect.

Therefore, we must renew our focus on genuine side-effect cases where an application of the intention/foresight distinction might be relevant. For that, we will again turn to what Aquinas marks as *praeter intentionem* as a model for understanding the intentionality of and responsibility for side-effect consequences, using the insights we have gained about action specification.

II.4.2.2: Intention, Foresight, Circumstances, and Side-Effects

In Aquinas' works, the phrase *praeter intentionem* or, in English, 'beside the intention', does not denote a special subsistent category of mental entity; rather it simply stands in for whatever is not the *intentio* of the agent. It is a catch-all category, with very disparate members. As we have seen, Aquinas defines the *per se* meaning of *intentio* as the intention of the end of an action, although this can be either the proximate or the remote end, depending on context.³⁹⁴ The intention of the means, which Aquinas calls *electio* (see *ST* I-II, 12, 4 ad 2) or in some contexts will (*voluntas, velle*), is therefore *praeter intentionem*. However, as the examples from the *Summa Contra Gentiles* III, 5 and 6 show, side-effects and consequences are also considered *praeter intentionem*, but they are, nonetheless, also considered voluntary, and subject to moral evaluation. All that we have shown thus far is that the Doctrine of Double Effect, such as it is understood by contemporary moralists, does not apply to Aquinas' treatment of licit self-defense. This does not deal with the central issue of side-effects and the Simple View. In *ST* II-II, Q. 64, a. 7, the death of the attacker is not treated as a side-effect but as a licit means under the circumstances. However, Aquinas' discussion of what is *praeter intentionem* in the *Summa Contra Gentiles* and *Summa Theologica* offers us an account of the relationship between side-effects and intentional action which can be used to flesh out Aristotle's own account as well as to answer opponents of the Simple View.

In both the *Summa Contra Gentiles* and the *Summa Theologica*, Aquinas discusses the phrase *praeter intentionem*, that which is 'beside the intention', and its

³⁹⁴ See *ST* I-II, Q. 12, a. 4; Vitoria, *op. cit.*, 194: *quod per se intentum est ut finis*. See also Pilsner, 218-219.

relation to action and moral assessment. In the *Summa Contra Gentiles* III, chapters 4 through 6, Aquinas argues that evil is always *praeter intentionem*, but it is in some cases voluntary. As we have seen, *praeter intentionem* can designate an act of the will, namely, the intention of the means or choice, but it can also designate something that occurs against the will. Since all rational agents act for ends which they intend, Aquinas argues, consequences that occur as a result of an action that differ from the agent's intention are *praeter intentionem* (SCG III, 4.2). Likewise, things which result from a defect in the powers of apprehension or willing are also *praeter intentionem* (SCG III, 4.3, 4.5). Aquinas is quick to point out that a consequence being *praeter intentionem* does not necessarily render that consequence involuntary. Hence, a married man who wishes to satisfy his lusts with a woman who is not his wife intends the gratification but does not intend the sin of adultery, even though adultery is what results by his intercourse with that woman. The adultery is *praeter intentionem* but voluntary and blameworthy (SCG III, 6.7). As we have seen, acts which are chosen may be *praeter intentionem* in cases of what Aristotle called "mixed action," as with the sailor and the storm or in some cases of self-defense, and they may be pardonable because they are, in a qualified sense, involuntary (SCG III, 6.9).

Aquinas' Latin terms for the psychological powers and acts of the soul do not always correspond to Aristotle's Greek terms and concepts in meaning, as we have shown in the first part of the dissertation; however, Aquinas does still hold to several distinctions that are crucial to an Aristotelian response to challenges to the Simple View. In the first place, Aquinas understands that while the process that leads to action is, as it were, one motion, it can be broken down into distinct parts, moments, or acts. Thus,

because the terms *intentio* and *intendere*, which often correspond to Aristotle's *boulēsis* and *bouleisthai*, in themselves pick out the directedness of the soul to its end in acting as well as its final end, they can also be used to refer to that which is chosen for the sake of the end. Like Aristotle, Aquinas uses another term to specifically refer to the intentionality of means, i.e., *electio* or choice, which corresponds to Aristotle's *prohairesis*. This is no small matter. The same ambiguity applies to the colloquial use of the English words 'intention' and 'to intend' as applies to the Latin terms *intentio* and *intendere*. Likewise, the same moral and ethical difficulties which surround the Latin phrase *praeter intentionem* also arise with the English term 'side-effect', which denotes "A subsidiary consequence of an action, occurrence or state of affairs; an unintended secondary result."³⁹⁵ With respect to Aquinas' treatment of the things which are *praeter intentionem* another set of useful distinctions can be made. The phrase can have several references with respect to action: 1) it can refer to what is chosen as a means (and is not intended as an end) or 2) that which is a consequence of an action besides the goal intended or the means chosen. In the second category, consequences which are not constitutive of the means chosen for the sake of the end, can be: a) foreseen or b) unforeseen. Foreseen consequences are attributable to the agent, and the agent may be held responsible for them.

As we have seen, the precise description of the means chosen (i.e., which act or acts is considered the means) and whether or in what manner the choice of means can be called an intention are the sources of much controversy. There is an ambiguity about the relationship between ends, means and consequences which is part of the debate on

³⁹⁵ *Oxford English Dictionary* online – accessed through Boston College Library. Entry for 'side-effect'. The *OED* also notes that the first usage of 'side-effect' was in an 1884 translation of the German philosopher Lotze's *Metaphysik*; the first medical usage occurred in 1939.

Aquinas' contribution to the Doctrine of Double Effect which can also enlighten the contemporary debate about the Simple View. In the case of licit, lethal self-defense, Boyle, for instance, distinguishes the death of the assailant from the means chosen by the assailed as well as the end result, which is that the assailed's life is preserved. He says of a case of licit homicide in self-defense, "one is not saved because the assailant is dead but the assailant dies because one has stopped the attack."³⁹⁶ The use of 'because' in Boyle's statement is to some extent confusing because it reverses the causal relationship between the two events. The attack is stopped *because* the assailant is killed; it is a consequence of the death of the assailant, who can assail no longer. In general, stopping an attack may not require or entail the death of an assailant; however, in a particular case, the attack may only be stopped because the assailant has in fact been killed. As Gareth Matthews correctly observes, "the possibility of an alternative scenario . . . does not show that, in the [actual case], the bad effect is 'not the means by which the good effect is achieved'."³⁹⁷ Another observation that we might make is that the causal relationship between the two events is not really instrumental but constitutive. The death of the attacker does not bring about a wholly separate event or state of affairs, i.e., the stopping-of-the-attack, rather it constitutes the second event as it constitutes in this case the preservation of the defender's life. Self-defense, as Reichberg rightly observes, is an aim or intention, the form of an act, which is materially undefined. Some acts may or may not be proportionate to that end, but there is no definite exclusion of any particular action in advance. The two effects that Aquinas speaks of need not be thought of as result and

³⁹⁶ Boyle, "*Praeter Intentionem*," 681.

³⁹⁷ Matthews, 68.

side-effect; in the case of self defense they can be the intended end and the means chosen, which are constitutive of the end.³⁹⁸

The relationship between effects brings us to the definition of consequences and side-effects in relation to intentions and culpability. When Aquinas speaks of the effect that a consequence (*eventus sequens*) can have on the moral evaluation of an action in the *Summa Theologica* I-II, Q. 20, a. 5, he seems to designate an event which follows indirectly rather than directly from the action. He says, for instance, in the *sed contra*, “if a man give an alms to a poor man who makes bad use of the alms by committing a sin, this does not undo the good done by the giver; and, in like manner, if a man bear patiently a wrong done to him, the wrongdoer is not thereby excused.” An action, as Aquinas says in the body of the article, ‘of itself’ (*ex suo, ex quo*) may produce results of a certain quality, good or bad, which reflect the nature of the action; whereas the results which happen accidentally (*per accidens*) do not reflect upon the agent or the action. Foreseen results generally fall into the former category; unforeseen results, the latter. If we follow Boyle’s analysis of self-defense, the death of the attacker should fall into the category of the purely accidental, something which does not result from the nature of the act. He argues that “one can attempt to thwart the attack in such a way that the assailant’s death is not what ends the threat, but is rather a consequence of what stops the attack.”³⁹⁹ If the death of the attacker were merely an accidental consequence of the act of defense, which did not follow from the nature of the act, it should therefore resemble something like the alms-giving example above. We might imagine an oft repeated cinematic scenario where an attacker is pushed onto some sharp object or other lethal device, of which the defender

³⁹⁸ Reichberg, 363.

³⁹⁹ See Boyle, “*Praeter Intentionem*,” 661.

was unaware. The quick act of the defender did not have a specifically lethal purpose, although it had a lethal result; he lacked foresight. Yet Boyle wishes to have it both ways, arguing that the defender can foresee the result of his action without having that result attributed to his willing. This is not something with which Aquinas would agree, nor should we.

The distinction between intended and foreseen consequences in Aquinas is not meant to limit culpability only to those effects which were intended as the end; quite the opposite. While Aquinas clearly distinguishes between what is strictly intended as a result of one's action, i.e., the end, and what is expected to result, either directly as a means or constituent of the means or indirectly by happenstance, he holds that foreseen consequences, even when not intended as ends, can be attributed to the agent. Thus, while many circumstances are mere accidents of an action, which do not give the action its species, some circumstances can add to the gravity of the sin, to its inordinateness (*ST* I-II, Q. 72, a. 1; a. 8). Thus, Aquinas gives the example of a man who fornicates with a woman who is not his wife, which by itself counts as adultery; however, added to this is the circumstance that she is the wife of another, which compounds adultery with injustice (*ST* I-II, Q. 73, a. 7). He comes close to giving a text book side-effect case when he gives the case of a man cutting across a field on his way to fornicating. Here, the damage done to the field is foreseen by the peripatetic lothario and follows directly and immediately from his action, but is not intended as such. However, the harm done aggravates the sin he is already committing but indirectly, as he has harmed another by his indifference (*ST*

I-II, Q. 73, a. 8).⁴⁰⁰ The harm done in this case is also *praeter intentionem*, that is, foreseen and not intended as an end, but it is also *voluntary* and blameworthy.⁴⁰¹

The moral responsibility that an agent has for the consequences of his action, for Aquinas, is based on their cause in the will and the relation they have to the action, ends, and means through intention and choice. As Aquinas says in the *Summa Theologica* I-II, Q. 6, a. 3, what is called ‘voluntary’ is from the will (*voluntarium dicitur quod est a voluntate*). This fact is particularly inconvenient for those who wish to find a contemporary use of the distinction between intention and foresight in Aquinas. The distinction as it is used today is meant to place the foreseen results outside of the will, as we have seen with Harman’s distinction between practical and theoretical reasoning in the assessment of consequential responsibility. For Aquinas, the voluntary has an intrinsic link to reason, knowledge, and cognizance of one’s circumstances, and although a specific goal, object or state of affairs may be intended as an end, the choice (*electio*) of a particular act necessarily concerns circumstances and consequences; most consequences follow from the nature of the act. Circumstances, like why, by what means, who, etc. are the differentiating matter of an action, and as such, are ‘proper accidents’ of it. Thus, Aquinas recognizes that in the wide scope of intention, consequences are included. However, Aquinas is no consequentialist. There is a priority to the evaluation of an action, beginning with the internal principle of an agent, namely, the act of will known as the intention (*intentio*). An intention of the end is a necessary

⁴⁰⁰ I am indebted to Boyle for these citations and for his insightful summary; however, I will be using them in a manner opposed to his conclusions. See Boyle, “*Praeter Intentionem*,” 662-663.

⁴⁰¹ See Boyle, “*Praeter Intentionem*,” 662-63. Boyle argues that the distinction between foresight and intention used by Aquinas in this article helps to distinguish blameworthy consequences from consequences like killing which resulted from an act of self-defense, for which he concludes the agent is not morally responsible. He argues that the former has a closer relationship to the act and the agent than the latter. I do not see how there is any difference whatsoever; on the contrary, I think the killing is closer to the other harmful consequences named.

but not sufficient condition for the goodness of an act; likewise, it is a necessary but not sufficient condition to evaluate the act's permissibility. However, the matter of the action, the circumstances of the act and the means chosen, which of their nature entail certain consequences, are also subject to moral evaluation. Of themselves, they do not suffice to make a bad intention result in a good and permissible act; however, they can make a good intention result in a bad and impermissible act.⁴⁰²

Foresight of the consequences of an intended action links those consequences to the agent through the action he performs, and the nature of the agent's foresight, cognizance, goal, means, etc. can be used to distinguish different levels of intention and responsibility. The end desired is a consequence; the side-effects or painful results, the cost of performing a certain action at a certain time and place. The price of deliberate choice is responsibility for what happens as a result of what is done. The agent is the cause of his act through his will and what he wills, as end and as a means, and what he wills has attached to it circumstances and consequences.

⁴⁰² We extrapolate here from several sections of the *Summa Theologica*. In *ST I-II*, Q. 7, a. 1-4, especially a. 2, Aquinas details in what ways circumstances are accidental to the nature of an act and in what ways they can affect evaluation (i.e., an agent's knowledge or ignorance of circumstances can affect moral judgments of the agent); in *ST I-II*, Q. 20, a. 5, he explains how consequences can make a bad action worse; and most importantly, in *ST I-II*, Q. 18, a. 10, he explains how according to reason, what is a mere circumstance for one act may be a defining condition of the moral species of another act. He uses the example of the circumstance of place in relation to a theft: a theft from a holy place is a different species of theft than from a private person. We examined this in the last section.

II.4.2.3: Intentions, Circumstances, Costs, and Quinn on Double Effect

We must pause here to distinguish our account from those of other thinkers involved in the discussion of the Doctrine of Double Effect and its variants. What we are proposing seems similar to the account offered by Warren Quinn. Quinn argues that Double Effect, as a free-standing moral doctrine rather than the historical doctrine stemming from Aquinas, might rest not on the distinction between intention and foresight but rather on the distinction between “direct” and “indirect” harmful agency. According to Quinn, this distinction discriminates between

. . . agency in which harm comes to some victims, as least in part, from the agent’s deliberately involving them in something in order to further his purpose precisely by way of their being so involved (agency in which they figure as *intentional objects*) and harmful agency in which either nothing is in that way intended for the victims or what is so intended does not contribute to their harm.⁴⁰³

In the former case, there is direct harmful agency, in the latter case, there is indirect harmful agency. From this distinction, Quinn argues that “*ceteris paribus*, a stronger case must be made to justify harmful direct agency than to justify equally harmful indirect agency.”⁴⁰⁴ The rationale for this ultimately lies with the role of the victims of the harm which results from the action. In direct harmful agency, “victims are made to play a role in the service of the agent’s goal that is not (or may not be) morally required of them,” and the Doctrine of Double Effect, Quinn believes, “rests on the strong moral presumption that those involved in the promotion of a goal only at the cost of something protected by their independent moral rights . . . ought, *prima facie*, to serve the goal only

⁴⁰³ Warren Quinn, “Actions, Intentions, and Consequences: The Doctrine of Double Effect,” *Philosophy and Public Affairs*, 18.4 (Autumn 1989): 343.

⁴⁰⁴ *Ibid.*, 344.

voluntarily.”⁴⁰⁵ This in turn rests on a “Kantian ideal of human community and interaction,” such that the victims of direct agency seem to be illicitly viewed and used as a means whereas those of indirect agency do not.⁴⁰⁶

Quinn believes that the distinction between direct and indirect agency solves a problem associated with the traditional understanding of Double Effect’s use of the distinction between intention and foresight. The problem is that of the “closeness” between the intended result and the foreseen harm. As Philippa Foot pointed out in an example, it surely seems absurd to distinguish between the dismemberment of a man by a dynamite explosion and his death; the former being intended, the latter merely foreseen.⁴⁰⁷ However, elaborating a clear standard of ‘closeness’ has proven difficult. The advantage of Quinn’s distinction between types of agency is that it does not need to invoke the distinction between intention and foresight with respect to the harm that results from the action; rather the harms are assessed in relation to their role in the agent’s plan of action and whether or not they contribute to the satisfaction of his goals. Insofar as the harm helps to realize the agent’s goal, it is the result of direct agency; however, if the harm does not help to realize the agent’s goal or plan of action, and is merely incidental to it under the circumstance, it is the result of indirect agency.⁴⁰⁸

We shall now focus on a case used by Quinn to illustrate the difference between his position and ours: the strategic bomber. Since John C. Ford’s 1944 article “The Morality of Obliteration Bombing,” the contrast between terror bombers and strategic

⁴⁰⁵ *Ibid.*, 349.

⁴⁰⁶ *Ibid.*, 348-350.

⁴⁰⁷ Philippa Foot, “The Problem of Abortion and the Doctrine of Double Effect,” *Virtues and Vices and Other Essays in Moral Philosophy* (Berkeley: University of California Press, 1978), 21-22. I am indebted to John Martin Fischer, Mark Ravizza, and David Copp, “Quinn on Double Effect: The Problem of ‘Closeness,’” *Ethics* 103 (July 1993): 709.

⁴⁰⁸ Quinn, 348-51. See also Fischer *et. al.*, 710-711.

bombers has been a recurring example in ethical papers.⁴⁰⁹ The terror bomber, whose goal is to kill civilians and terrorize the population, is obviously committing a morally evil act when he bombs a city. The case of the strategic bomber is less clear. This kind of bomber aims at destroying munitions factories or military installations, but his bombing inevitably results in civilian deaths because they live in the areas surrounding the factories and installations or work in the factories and installations. The strategic bomber has, more often than not, been defended as being engaged in a morally licit form of war-making. Quinn's defense of the strategic bomber runs as follows: "The civilians in [the terror bomber case] serve the bomber's goal by becoming casualties . . . But in cases of indirect agency [i.e., strategic bombing] the victims make *no* contribution."⁴¹⁰ According to Quinn, "Those who simply stand unwilling to be harmed by a strategy – those who will be incidentally rather than usefully affected – are not viewed strategically at all and therefore not treated as for the agent's purposes rather than their own."⁴¹¹ We might rephrase this difference between the two bombers in two counterfactual conditionals: *if* the civilians were not there, the strategic bomber would bomb whereas the terror bomber would not; *if* the civilians were not there, the strategic bomber's plan could still succeed while the terror bomber's could not. As Quinn says earlier of a scenario where a police sniper might licitly shoot through a hostage to kill a legitimate target: "If we act despite their [innocent hostage] presence, we act exactly as we would if they were not there. If, on the other hand, we needed to aim at someone in order to hit a target, that

⁴⁰⁹ See note 334 above.

⁴¹⁰ Quinn, 349.

⁴¹¹ *Ibid.*, 348.

person would clearly figure as an intentional object.”⁴¹² Therefore, the bomber has a *prima facie* license to bomb.

Even if we grant such a *prima facie* license, it seems doubtful that Quinn’s standard can really get around the problems associated with the “closeness” of harm to the goal intended. In Ford’s seminal article on strategic bombing, he was concerned with the justification of the Allied bombing of German cities, which involved incendiaries and high explosives. The bombings were not ‘surgical strikes’ using ‘precision guided munitions’ as we are used to today; rather, the bombers targeted a whole city and dropped the bombs on a wide area (“obliteration bombing”), knowing that in the process, factories and military targets would be destroyed. They also knew that this would involve the deaths of thousands of civilians, which it actually did. After citing the apocalyptic destruction wrought by Allied bombing, Ford asks, “If these are the facts, what is to be said of the contention that the damage to civilian property and especially to civilian life is only incidental?”⁴¹³ Ford doubts that it is “psychologically and honestly possible” to view civilian deaths in a merely incidental light in those circumstances. He goes on to argue that the Allies did intend the civilian deaths as part of a plan to punish and terrorize German civilians.⁴¹⁴ Prescinding from the question of whether the Allies did actually intend the civilian deaths, the significance of Ford’s argument is that Quinn’s distinction between types of agency still does not evade the problems of the problems of closeness. The Allied argument that Ford responds to would satisfy Quinn’s counterfactual hypothetical test of agency: If the German civilians were not in the city, the city would still be bombed by the Allies. Yet Ford’s point is precisely that *under the circumstances*

⁴¹² *Ibid.*, 345.

⁴¹³ Ford, 31; see also 28-35.

⁴¹⁴ *Ibid.*, 31-35.

the citizens *are* in the city and the bombing *will* kill them. Even if it can be argued that they are not instrumentally involved in the Allies plan, Ford argues that it is absurd to see their deaths as extraneous the Allies' intention under the circumstances. This is not a consequentialist argument but one centered on intention, and it raises the question: can we separate the circumstance of civilian deaths from the agent's intention?

Quinn's account of types of agency distorts intention by obscuring a key component of an agent's practical reasoning, what we will call cost. A trait of Quinn's argument, as well as the arguments of other proponents of Double Effect, is the reliance on counterfactual conditional tests to determine an agent's intention. An effect, X, is unintended insofar as it is not necessary to satisfy the agent's goal or plan. The test of this is the counterfactual conditional, whereby we ask 'if X were not to result, would the agent still choose to do what he does?' The problem with this test is that it obscures a significant factor in practical reasoning. Every action has cost, so to speak, whether it is in the time it takes to perform it, the resources used by it, the harms inflicted others or ourselves, etc. Every action is undertaken *both* in light of the benefit expected *and* the cost required. Counterfactual conditional tests of intention seem to assume that the agent's calculations are based solely on the benefit of the act in question, and not on its costs. The benefit of the immediate act or choice is implicitly conflated with the good of the more remote end, which might be satisfied by another course of action with a lower cost. The relationship between the more remote end and the costs of the immediate action is always relevant to practical thinking precisely because agents are free under most circumstances to choose other courses of action with different costs. The value of a given act to a given end is relative to the circumstances in which the act is performed, and

the circumstances factor into an agent's assessment of the act's costs and his intention to act.

Returning to the third objection to the Simple View, characterized by Bratman's example of the marathon runner and his sneakers, we can see how the wearing down of the sneakers would satisfy Quinn's counterfactual conditional test for direct agency and yet, at the same time, it is intentional and intended. First, we can say that the marathon runner would still use his sneakers even if they did not wear down when he ran. This would mean that the wearing down, on Quinn's account, would be a case of indirect agency; Bratman calls the same wearing down a foreseen side-effect. Yet the runner knows he is in fact wearing down his sneakers, and that, under normal conditions, they must be worn down if he is to run. In his actual circumstances, he cannot help but wear them down. This salient fact affects his choice of course (an indoor track versus the sidewalk), the amount of time he runs, the number of times he runs, as well as, most importantly, which type of shoe he buys. The fact that his sneakers wear down is not extraneous to his activity nor is it, in the case of most runners who are deliberately training, extraneous to his plans regarding his training; it is a continual element in his intentions in acting. The fact that we normally do not notice the significance of such a factor or the way in which it is part of our intentions in acting is due to habit and to an unreflective assessment of costs and benefits.

Another point of significance is that the costs of an action are not necessarily convertible with deontological claims of right. Even beyond morally trivial cases like sneaker wear, we cannot always appeal to the violation of rights as the moral cost involved in an action. Quinn's account of the types of agency dovetails with a

deontological system of positive and negative rights, which further factor into his account of Double Effect. As he says, “In all of these cases we seem to find an original negative or positive right that, while opposed by other rights, seems to be strengthened by the fact that harm will come via direct agency.”⁴¹⁵ Quinn is not alone in seeing a strong connection between Double Effect and deontological moral claims.⁴¹⁶ As Quinn notes, the various positive and negative right claims must be balanced. Yet this balancing seems both difficult to do and inimical to the very nature of the moral rights cited. Most importantly, it does not seem that the rights exist wholly apart from circumstances. I may have a right to my property, but whether or not that right is defeasible may hinge on something external to it which of itself may not be a right, e.g., Aquinas’ case of taking another’s property in the circumstance of dire need. Perhaps the circumstance gives rise to another right, but, without reference to fixed legal rights, we are apt to be arguing about rights that exist *ad hoc* and completely for the benefit of a hypothetical example.⁴¹⁷ The great difficulty here is that we are at the junction of morality and psychology. We must take pains to distinguish the content of intention prior to judging the action which we attribute to the agent.

For Aristotle and Aquinas, the circumstances of an action are of crucial importance to assessing actions and agents; circumstances play a greater role in their accounts than in many contemporary authors. Whether or not an agent is cognizant of a certain circumstances makes a great difference in our assessment of his responsibility for

⁴¹⁵ Quinn, 346.

⁴¹⁶ See Garcia, “The New Critique of Anti-Consequentialist Moral Theory,” *Philosophical Studies* 71.1 (July 1993): 1.

⁴¹⁷ For a good example of this type of argumentation, see Judith Jarvis Thompson’s, *Rights, Restitution, and Risk*, ed. W. Parent, (Cambridge, Mass: Harvard University Press, 1986), chapter 3, “Self-Defense and Rights,” 33-48. Thompson is particularly creative with the opposing positive and negative rights she uses in her hypothetical self-defense scenarios.

his action because it makes a great difference in how he understands and intends his action and how we understand and ascribe that intention. Likewise, an agent's judgments based upon the circumstances as reflected in his choices are also critical to assessment because they are critical to his intention to act. As we saw in Part I of the dissertation, for Aristotle, cases of mixed action force agents to choose certain harms as the price of certain goods. Their actions are evaluated based on what was chosen as the price of what was intended as the end. But this can be generalized. As Aquinas holds, the circumstances of an action enter into our intentions through our rational cognizance of and deliberation about our goals in our present circumstances. This is faithful to Aristotle's account of the particulars of which an agent has knowledge in *NE* III, which we discussed above. Neither Aristotle nor Aquinas uses counterfactual conditional tests to determine the content of an agent's intention. Generally, what an agent foresees as resulting from his choice of a particular action at a particular time and place is part of what he intends. The scope of this is not unlimited. As Aquinas illustrates with his alms-giving example, we may foresee something coming about as result of what we do but also through the subsequent result of other agents or forces. The scope of intention is indefinite, and the indeterminacy surrounding such issues as the accordion effect, whereby an agent may be said to intend further consequences brought about by his immediate action, and problems of closeness cannot be neatly resolved.

What we propose here, therefore, is in partial agreement with Quinn, although with significant disagreements remaining. Quinn's distinction between direct and indirect agency is similar to but not entirely co-extensive with our distinction between the intention of the end and the intention of the means. It is too narrow because it obscures

elements that enter not just into decision-making but into the decision itself as an intention of the means. We agree that, in general, there is a strong presumption against even the instrumental infliction of harm on others; however, beyond this, the distinction between types of intending needs to be augmented by an account of the agent's circumstances and his cognizance of those circumstances in a full, thick description of the action. Finally, we believe that there will always be a question of 'closeness' when it comes to ascriptions of intention and assessments of responsibility for side-effect consequences. Given the nature of human action, we must always ask both how an agent caused an action, that is, how one external event lead to another, and how the agent understood his action and that external causality in terms of his intentions. How close an effect or circumstance must be to an agent's action to be considered part of his choice of means is a question which can be given considerable treatment in advance, but there is no decidable procedure or *a priori* rule for such judgments.

The contemporary debate about the Doctrine of Double Effect is not fundamentally about responsibility for consequences; it fundamentally concerns whether harm to others or oneself can ever be licitly intended instrumentally and, if so, for what ends. Many defenders of the contemporary doctrine argue that harm can never be intended, even instrumentally; therefore, if an intentional action is permissible, then the harm which results cannot be intended – it must merely be foreseen or expected. Opponents of this view attempt to show that cases of merely foreseen harm are really intended, and that there is something dishonest or self-deceptive about describing the intended harm as merely foreseen. Both sides produce innumerable real and hypothetical cases, but they argue past each other. Defenders of the Double Effect have a point when

they emphasize that not every expected consequence of an action is intended. We may concede that some results of an action are merely foreseen or expected. Such results may be causally distant from the agent, merely probable, or not a part of the agent's plan of action – we could make qualifications *ad nauseam*. Assessing the intentionality of a consequence requires a very thick description of an action. The distinction between intention and foresight is often invoked all too easily to simplify the tasks involved in making judgments about intention and responsibility, but making such judgments often requires knowledge about the state of the agent, the nature of his intended plan, the nature of the circumstances, his cognizance of those circumstances, and judgments not just about human agency in general, but about particular types of agency. We can make general claims about what types of consequences are necessarily intended by an agent when he acts, but we will always need to make contingent judgments. The distinction between intention and foresight is not an *a priori* rule to be applied to every case, but is itself such a contingent judgment. Opponents of the Doctrine of Double Effect also have a point when they argue that some important consequences cannot be classified as merely foreseen because of the causal relationship they have to the agent's actions. As we have tried to show, instrumental intentionality includes at least some types of undesired consequences and side-effects often classified as merely foreseen.

In any case, the limitation of the distinction between intended and foreseen consequences and the rejection of the Doctrine of Double Effect does not entail consequentialism or the diminished role of intentions in moral evaluation. This can be seen at length in Aquinas' treatment of licit homicide in self-defense and in his larger treatments of intention and culpability, which are largely Aristotelian in their distinctions

between intention and choice. While virtues and habits are important to both, the basis for moral ascriptions is the genesis of action in the pursuit and realization of an end; virtues and habits are components of that process, but not the whole. The position espoused by Aquinas and Aristotle does not evaluate agents solely on the consequences of their actions but on how those consequences relate to the agent and his capacities, especially his knowledge, his ends, his deliberations, his choices and physical acts. Most moral theories today restrict moral evaluation to a privileged consequence or set of consequences, e.g., the agent's intention or maxim of action, the effect on the agent's character, the sum total benefit to humanity, etc.⁴¹⁸ Aristotle and Aquinas take a more holistic approach; however, there is a priority to the elements of moral evaluation beginning with the agent's intentions. Intentions, specifically intentions about ends, retain pre-eminent importance in a Aristotelian account of action, and their role is better understood and defended in such an account. Act and agent assessment require a reference to the genesis of an action within an agent, and a specification of the manner and degree of intentionality for an actions, action components and consequences. This reinforces and promotes the importance of intentions in act and agent evaluation and practical thinking.

⁴¹⁸ See John Dewey, *Ethics (1932)*, *The Later Works of John Dewey*, ed. Jo Ann Boydston, vol. 7 (Carbondale: Southern Illinois University Press, 1989), 223; 249-52. Dewey criticizes both Kant and the Utilitarians for privileging certain consequences over others. In Kant's case, Dewey argues that Kant's theory necessarily has concern for consequences through Kant's formulation of the categorical imperative as a law of nature.

II.5: Understanding Intention as Desire

II.5.1: Introduction to Arguments about Intention and Desire

Having defused the various objections to the Simple View in sections II.3-II.4, we must now focus on the philosophical claim most central to the debate, and that is the relationship between desire and intention. Proponents and opponents in the debate about the Simple View both seem to uphold the same distinctions between the two. For starters, intentions and desires are classified as two distinct, irreducible types of mental state; intentions are neither a kind of desire nor are they composed of desires. The basis for this distinction is the role that the various thinkers give to intentions and desires in relation to action and practical thought. In the work of Simple View opponent Alfred Mele, intentions are distinguished from desires by having “a tighter functional connection to action” than “mere” desires.⁴¹⁹ Intentions are “executive” states which initiate, sustain, and monitor actions.⁴²⁰ Bratman attempts to distinguish intentions from desires from the opposite direction, by emphasizing future-directed intentions rather than the intentions with which an agent acts when he acts intentionally. His emphasis distinguishes the function of intention not in the genesis of intentional action but in relation to practical thinking, planning and agent rationality. Intentions, unlike desires, are rationally constrained by their connection to planning. An can desire anything but he may only intend what he believes he will be able to achieve consistent with his prior plans. Harman combines both of these approaches, though borrowing from neither

⁴¹⁹ Mele, *Motivation and Agency*, 172

⁴²⁰ Mele, *Springs of Action*, 140.

Bratman nor Mele, in making intentions self-referential propositional attitudes as opposed to desires which are not. In one stroke, Harman combines Bratman's emphasis on agent rationality with Mele's concern for the functional relation to action: Intentions must be rationally self-consistent because it is the internal self-relation of intentions that links them functionally to action. In each case, the role of desire is demoted to a mere tug or pull on the power of intentions in the genesis of action.

This approach leads to several problems. First, it leads these thinkers to attack the Simple View and divorce intentional action from intentions. Second, it leads them to create as yet unidentified intention surrogates in order to account for action which is intentional but not intended: what Bratman calls "motivational potential" or Mele's "positive motivational base." This further muddies the water in action theory. Third, all of these approaches undermine moral assessments of blame and responsibility for intentional actions and the consequences of intentional actions, as we have already observed at length.

In this section, we will examine the relationship between intention and desire. First, we will briefly examine the arguments made by Harman, Bratman, and Mele in favor of separating intention from desire. We shall respond to each, but with particular focus on Harman and Mele's positions, since both accounts center on the relationship between intention and intentional action. With insights from our critiques, we will then make a substantive case in favor of an Aristotelian view of intention as deliberate desire, drawing on the insights of Alasdair MacIntyre and our earlier exegetical analysis. As we will argue, it is necessary to see intention as a kind of desire, as a rational, deliberate desire, which can guide human action, and, at the same time, to see desire as an

intentional faculty with varying degrees of rationality, conceptualization and deliberateness. The answer to opponents of the Simple View is not to divorce intentions and intentional action but to specify the levels and degrees of intentionality in any intentional action. The English word 'intention' is ambiguous and its ambiguity derives from the nature of thing to which it refers. Intention entails purpose, but the manner in which that purpose is understood by the agent or by an observer, as well as the manner in which that purpose drives present or future actions is tremendously varied. Some intentions are deliberate, discrete and fully conceptualized by an agent; others are non-deliberate and closer to being brute urges; still others are somewhere in between. The sense of intention which we wish to mark out as intention *par excellence*, that sense which is unique to human beings, is the sense of deliberate intention, a rational desire, what Aristotle called *prohairesis*. As such, intention is a species of desire and all desires are intentional in that they are essentially purposive.

II.5.2: Bratman and Harman on Intention and Desire

While Harman and Mele both emphasize intentions' relation to immediate intentional and rational action, Bratman assumes that the characteristic function of intentions lies in relation to future plans. This particular functional approach seems promising but for the fact that it becomes difficult to distinguish functionally intentions from desires the farther one gets from intentional actions. Future-directed intentions, Bratman's preferred exemplars, are phenomenologically the least distinguishable from 'mere' desires; the former commit us, so Bratman argues, to deliberation and rational consistency, while the latter do not.⁴²¹ But these qualifications will not do. Bratman concedes that future-directed intentions do not necessarily commit agents to act, although he argues that, nonetheless, intentions exhibit a stronger commitment to action than desires. Yet this would make *both* intentions and desires "*potential influencers* of action" rather than *actual* influencers of action.⁴²² Moreover, such intentions do not commit us to *having* deliberated about the intentions themselves, although they commit us to future deliberation.⁴²³ I may have a non-deliberate future intention which might spur deliberation. However, in such a case, it seems specious to try to distinguish a non-deliberate future-oriented intention from a mere desire. One may be just as committed to fulfilling one's non-rational or irrational desires as one is to fulfilling one's rational plans, as in the case of addicts of whatever sort. Adding deliberation to the process does not give us any further grounds to distinguish such future-directed intentions from desires as

⁴²¹ Bratman, "Two Faces of Intention," 378-81.

⁴²² Bratman, *Intention, Plans, and Practical Reasoning*, 16

⁴²³ *Ibid.*, see chapter 3, especially pages 28-36, and chapter 5 on reconsideration. According to Bratman, initial intentions need not themselves be deliberate however much they may prompt further deliberation.

a distinct kind of mental state or act, for it must be conceded that we also desire things we have deliberated about as a consequence of our deliberation. What might the generic difference between intentions and desires then be?

Mele and Harman seem to do better on this count. The difference, at least in terms of the pragmatic force of the English words ‘desire’ and ‘intention’ or ‘intend’, is one of commitment to action. When we say ‘I intend to complete my Ph.D.’ we seem to mean something stronger than when we say ‘I desire to complete my Ph.D.’; the former seems to communicate a settledness of purpose and movement toward action that the latter does not. The strength of the philosophical insights we might draw from this distinction in English usage is, however, limited. If we assume that intentions are essentially tied to actions in ways that desires are not, that they are, unlike desires, executive states, we have problems accounting for actions which do not embody fully deliberate behavior. If akratic failures are against one’s intention, then it seems that desire can cause action without intention. If akratic failures arise from one intention being replaced by another, the latter the result of a “compulsive desire,” then it seems that the so-called inertia of intentions is no essential part of their being. Desire, then, can cause actions against one’s intentions. If this last point is conceded, the problem of *akrasia* only becomes sharpened; for do we account akratic failures to be unintentional? If so, how do we find them voluntary and blameworthy?

Harman believes that intentions are self-referential and that this quality distinguishes them from desires, which are not. Intentions to perform actions, “positive intentions” as Harman calls them, are self-referential in terms of both their content and their functional relations, i.e., the intention to *A* must contain reference to itself as the

very cause of the A-ing.⁴²⁴ In terms of content, the positive intention to do something must specify that the action intended occur “something like the way in which the agent intended” and that it also be caused by that very intention. Therefore, “if the intentional content of an intention is given by its success conditions, then the intentional content of an intention is self-reflexive – the intention is the intention to *psi* in consequence of having that very intention.”⁴²⁵ This content is also functional: it functions as a cause of action and other intentional states and “an agent must be able to suppose that the resulting intention will indeed lead to the result intended.” Desires and beliefs do not have reflexivity in terms of content or function. While this account of intentions would seem to imply that neither children nor animals can act intentionally, since they seem to lack the necessary conceptual apparatus, Harman argues that the concepts of intention, causality and intentional action need not be articulated; thus children can form intentions “even if they have no explicit concept of intentions or self-reference.”⁴²⁶

Self-referentiality explains, for Harman, why intentions, unlike desires, require strong consistency with each other and with beliefs; specifically, an intention to *A* requires the belief that one will *A*, which leads Harman to reject the Simple View. This, as we have seen, is used by Harman to argue that not all intentional actions are intended. Intentions could not explain human action, as Harman takes them to do, or be essential to practical reasoning if they did not require the positive belief in their own efficacy.⁴²⁷ Forming intentions through practical reasoning “settles in one’s mind” whether one will do or not do any given action; more than that, “It is always a means of guaranteeing that

⁴²⁴ Harman, “Self-Reflexive Thoughts,” *Philosophical Issues* 16 (2006): 336.

⁴²⁵ *Ibid.*

⁴²⁶ *Ibid.*, 340

⁴²⁷ Harman, *Reasoning Meaning, and Mind*, 56.

one will do what one intends.”⁴²⁸ In the case of “positive intentions,” intentions to perform specific actions (as opposed to “negative intentions”, intentions not to perform a given action), the intention “is also a means of actually doing what one intends to do.”⁴²⁹ This is so, Harman argues, because the intention to do *A* and the intention to intend that one do *A* are not separable intentions: “One cannot intend to do *A* without intending to intend to do *A*.”⁴³⁰ The relationship between intending to do *A* and intending to do *A* intentionally is immediate, direct and simultaneous. Harman concludes that “If one intends to do something, it follows that one believes that one will do it.”⁴³¹ An intention is “instrumental” in its own satisfaction, in an agent’s performing a given action; it “guarantees that something will happen.”⁴³² If an intention lacked this strong complementary belief in its own efficacy it would be either self-contradictory, since intentions necessarily contain reference to their own causal power, or it would not be an intention, since what distinguishes intentions from mere desires or other similar mental states is intrinsic causality.

The view that intentions, or other mental states or propositional attitudes, are self-referential is philosophically idiosyncratic; John Searle is the only other notable proponent of such a view. There are several major objections which can be leveled against self-referential accounts of intentions, and we borrow here from a number of criticisms leveled against Searle’s account. The first objection is that one need not assume that intentions have precise and discrete conditions of satisfaction, such that we can say in advance that every intention is satisfied by some such decidable condition or

⁴²⁸ *Ibid.*, 52; 54.

⁴²⁹ *Ibid.*, 54

⁴³⁰ *Ibid.*

⁴³¹ Harman, *Reasoning, Meaning, and Mind*, 47; see also *Change in View*, 77; 82-84.

⁴³² Harman, *Reasoning, Mind and Meaning*, 54; 65

conditions, which is the basis for Harman's functional account of self-reference. For instance, the indicative proposition 'The cat is red' can be verified if the subject designated is a cat and it is red; however, the proposition expressing the intention 'I intend to get a sandwich', may be satisfied any number of ways, e.g., by buying one, making one, finding one, etc. While we can choose more or less definite indicative propositions and more narrowly circumscribed intentions, e.g., 'I intend to go into the kitchen and make a sandwich', it seems that indicative propositions can always be rephrased unambiguously and made falsifiable while not all propositions expressing intention can be made as definite. If some intentions always remain indefinite with respect to what would satisfy them, we may think here of the intentions of certain general ends, then it seems that they cannot have a definite number of conditions of satisfaction. The second objection is that even assuming that intentions have discrete conditions of satisfaction, it is not clear that the intended action is the only thing that fulfills them. Likewise, the third objection is that even if we assume intentions have conditions of satisfaction, this does not necessitate a self-referential description of intentions. Interpreting ascriptions of intention as self-referential, either in first person avowals or descriptive utterances, must be argued for on the basis of its explanatory power, and it is more plausible to interpret ascriptions of intentions, and by extension the nature of the propositional attitude of intention, as not being self-referential.

Harman, like most contemporary philosophers in the analytic tradition, subscribes to the view that intentionality in general, and intentions in particular, can be described as psychological attitudes with propositional content. The attitude imparts to the content a

direction of fit⁴³³ which specifies its conditions of satisfaction, the existence of which makes the proposition true. As Bruce Vermazen rightly points out, “it is quite a lot easier to tell someone what the conditions of satisfaction of an Intentional phenomenon are than it is to explain why those are its conditions of satisfaction.”⁴³⁴ While Harman attempts to base an overall account of intentionality on the claim that every intentional state is defined by some such conditions, it is not clear that this is the case. Vermazen notes several interesting examples, in particular the cases of recognized hallucinations, dreaming and “vivid visual imaging.”⁴³⁵ In the case of a recognized hallucination, there is a subjective experience that may be phenomenologically indistinguishable from a case of real seeing or visual perception. Yet it is not clear how this mental state might be veridically satisfied, given that the sufferer is not under the illusion that what he is currently seeing is the case. It is likewise with vivid dreams and imaginings. The distinction between dreams and waking life has a long and difficult history; in any case, it is hard to see that these mental states have truth conditions. These mental states, where the agent is neither deceived nor apparently interested in truth, seem to lack a direction of fit, and thus lack conditions of satisfaction. Nothing is necessarily perceived and nothing

⁴³³ The phrase “direction of fit” refers to the ways in which speech acts or propositions can relate to the world, that is, how we evaluate what would make the speech act or proposition true. According to David Velleman, “The Guise of the Good,” *Noûs* 26.1 (March 1992): 8, “In cognitive attitudes [e.g., belief], a proposition is grasped as patterned after the world; whereas in conative attitudes [e.g., desire], the proposition is grasped as a pattern for the world to follow.” The idea of direction of fit is intuitive enough for indicative propositions. That is to say, a statement or proposition does or does not accurately describe an external state of affairs; the statement fits the world or it does not. If the statement accurately describes the world, it is true; if it does not, it is false. The idea is less intuitive and more difficult to elaborate with propositions expressing desire or intention, as we will examine below. The phrase ‘direction of fit’ is a common, now technical phrase in the literature, particularly Searle’s work.

⁴³⁴ Bruce Vermazen, “Questionable Intentions,” *Philosophical Studies* 90 (1998): 276. Vermazen is writing against Searle’s account of intention; however, since Searle and Harman agree substantially on the essential points and make essentially the same argument, I believe that the arguments and points I cite from Vermazen hold against Harman as well. The word ‘Intentional’ appears capitalized in Vermazen’s article, and this corresponds to Searle’s capitalization in *Intention*.

⁴³⁵ *Ibid.*, 268-69.

is necessarily misperceived, if perception and misperception are characterized entirely by their relation to external states of affairs.⁴³⁶

The difficulty in characterizing the direction of fit of certain exceptional or non-veridical intentional states points toward a larger difficulty about characterizing the conditions of satisfaction for intentional action. When it comes to the feeling of agency involved in intentional action, the same issue arises: the feeling of agency can exist without actual movement, but nothing in the feeling or experience itself signals this difference. Yet Harman characterizes intentions involved with action as being satisfied only if an action which itself is caused by the intention ensues. To illustrate a problem with this, we will turn to Searle's work in *Intentionality*. Searle gives an example of an experiment conducted by William James in which a subject has his arm anaesthetized, restrained and hidden from view. The subject is asked to raise his arm, and reports that he has, even though the arm has not moved. Searle says that the subject has the experience *of* raising his arm; thus his intention to raise his arm is satisfied.⁴³⁷ Against this, Vermazen asserts that the subject has the experience *as of* raising his arm. That is to say, he does not have the experience *of* raising his arm because his arm did not go up; however, the experience is *as of* raising his arm because "What the experimental subject experiences is *like*, perhaps phenomenologically indistinguishable from, what he experiences when he actually raises his arm, since he doesn't raise his arm."⁴³⁸ The subject might be mistaken in believing, as James' subject did, that he had in fact raised his arm, even if he has the characteristic experience. What this suggests is that the

⁴³⁶ Vermazen notes that Searle never explicitly says that intentional states without a direction of fit have no conditions of satisfaction, but this seems to be strongly implied (see Vermazen, note 7, 269; also 277).

⁴³⁷ Searle, *Intentionality*, 89-90.

⁴³⁸ Vermazen, 275.

experience itself is “neutral with respect to the question whether the arm went up, that is, to think of it as an experience *as of* raising one’s arm.”⁴³⁹ If the experience is neutral, if it can exist without the act which it would otherwise initiate or direct, “there seems to be no reason to say that it is successful or satisfied only if one’s arm goes up.” Likewise, in vivid dreams, imaginings and hallucinations, we may have an episode of seeing or visual experience without there being perception. In the case of intentions involved with action as well as the cases of visual experience, it is not clear that they can be described as having a direction of fit or be explained by their conditions of satisfaction. If it is not the case that such intentional experiences can be explained by their conditions of satisfaction, we need not worry about intentions, whether involved with action or perception, being self-referential.⁴⁴⁰

These objections notwithstanding, it may be possible both to accept Harman’s basic insight regarding intentionality as being tied to conditions of satisfaction and to reject that intentions and intentional mental states are normally self-referential. Harman’s account of self-reflexive mental states finds self-reference implicit in intentions involved with action. Most linguists and logicians define a thought as self-referential only if it either contains a concept that refers to itself or if it contains a logical quantifier which specifies a domain in which the thought itself is included.⁴⁴¹ Whether a propositional attitude is self-referential (and by extension the related mental state) largely hinges on the way in which one unpacks utterances said to exhibit it. A functionalist account specifying conditions of satisfaction does not necessitate a self-referential account of intentions; moreover, such an account would have to demonstrate the utility of

⁴³⁹ *Ibid.*

⁴⁴⁰ *Ibid.*, 275-76.

⁴⁴¹ See Christopher Hill, “Harman on Self-Referential Thoughts,” 346, for this definition.

interpreting the conditions of satisfaction self-referentially. As we have seen, the utility or explanatory value of self-reference has not truly been shown nor is it widely accepted. For it is not clear how explaining intentions in terms of self-reference is better or more “revelatory” than not doing so because it is not clear how self-reference adds anything to our understanding of how intentions cause actions.⁴⁴² Characterizing our standard verbal or written expressions of intentions, perceptions and certain beliefs as implicitly self-referential seems to suggest that our standard discourse is unusually elliptical, since we habitually gloss over a significant element of the content of our thoughts, beliefs and intentions. If speech acts are the primary evidence used to assess the nature of mental states because they have the same truth conditions as the mental states they represent, it is odd that they should be so oblique on this crucial point.⁴⁴³ Harman seems to confuse a linguistic or logical issue with a psychological or biological one, as the causal connection between thoughts and actions is not, in the first instance, a logical one.

⁴⁴² Hill, 348.

⁴⁴³ See Mele, “Are Intentions Self-Referential?” *Philosophical Studies* 52.3 (Nov. 1987): 316; 324-26; see Searle, *Intention*, 27-28; 164. In reference to Harman specifically, Mele also argues that Harman confuses intending to perform an action with intending to perform that action intentionally. I do not think this is an apt objection because every action is intentional by definition; that’s what makes a particular event an action rather than a random or natural happening. It is simply redundant, or rather tautologous, to assert that we intend to perform an action intentionally.

II.5.3: Mele on Intention and Desire

Mele's theory of intentions does not rely on any logico-linguistic apparatus; rather, he believes the characteristic attitude towards actions and plans embodied by intentions is the key to understanding them and differentiating them from desires. Mele claims intentions are "executive attitudes toward plans" which are settled and determinate in a way that desires are not.⁴⁴⁴ For Mele, the essential difference between desires and intentions "lies in the *access* that they have to the mechanisms of intentional action," and here he means not a logical or linguistic relationship but a psychological one.⁴⁴⁵ One kind of intention can directly initiate, monitor and guide intentional actions: this is the class of "proximal" intentions. Another kind of intention can concern future courses of action, and this is the class of "distal" intentions. Distal intentions need never give rise to any actions, as there are many plans we never execute.⁴⁴⁶ Both desires and intentions are "non-compound attitudes" which do not have other "distinct attitudes as parts."⁴⁴⁷ Desires function in the genesis of intentions but intentions mediate between desires and intentional action: "the causal route from wants to intentional actions, accordingly, is mediated by intentions. Wants, on these suppositions, dispose us to act by disposing us to form or acquire appropriate intentions."⁴⁴⁸ The executive power of intentions, according to Mele, does not rest on their perceived strength or on the strength of incorporated desires.

⁴⁴⁴ Mele, *Motivation and Agency*, 27-28.

⁴⁴⁵ Mele, *Springs of Action*, 143

⁴⁴⁶ *Ibid.*, 137.

⁴⁴⁷ Mele, *Motivation and Agency*, 138.

⁴⁴⁸ Mele, *Springs of Action*, 143.

According to Mele, subsuming the class of mental states called intentions into that called desires tends to go concomitantly with what he calls the “Motivational Strength Theory,” or “MST” for short. MST is the view that action is caused by whatever is the agent’s “preponderant motivation,” whatever psychic force has the most strength, combined with some appropriate belief.⁴⁴⁹ Mele argues that intentions can give rise to intentional action without and in spite of preponderant motivation. One example he gives is that of someone who intends to finish a steak dinner in spite of being full; the intention to finish the meal persists after hunger is sated and it drives the diner to finish his meal.⁴⁵⁰ In general, the phenomenon of “motivational conflict,” illustrated by continence and *akrasia* shows that desires and intentions are distinct.⁴⁵¹ He gives the example of the akratic smoker, whose intention to quit is at odds with his preponderant motivation to smoke. The smoker can sometimes resist those motivations and intend not to smoke however often he gives in to those urges. Intentions can be distinguished from preponderant motivation and an intention does not need to incorporate a preponderant motivation to give it its executive capacity: The smoker can successfully intend not to smoke and so act. Unlike desires, such as the smoker’s craving, intentions are within our conscious control to a large extent, such as the akratic smoker’s some-time intention not to smoke.⁴⁵² What applies to intentions in general also applies to decisions, which are proximal intentions to act. According to Mele, “When we decide what to do we do not, in

⁴⁴⁹ *Ibid.*, 155-56. While we will argue for the classification of intention as a species of desire, Mele’s presentation of MST does not correspond to our view. MST is a brute-force model of human action as Mele presents it, very similar to the philosophy of Hobbes. We hold that reason can influence desire through deliberation and that desires can become rational and conceptualized. While we might agree with MST that the strength of desires does determine action, the ‘strength’ of a desire is not the same as a somatic urge or function.

⁴⁵⁰ Mele, *Motivation and Agency*, 170-171; 1992, 154-57.

⁴⁵¹ Mele, *Springs of Action*, 163.

⁴⁵² *Ibid.*, 163.

general, ask ourselves what we are *most motivated* to do; but we often do ask what it would be *best* to do. And what we judge best need not be what we are most motivated to do.”⁴⁵³ Rational judgments which help to give rise to intentions cannot be reduced to desires or preponderant motivations, since, according to Mele, “our assessments of attractive and aversive items have a firmer grip on decision making” than our desires.⁴⁵⁴

Mele’s arguments against the reduction of intention to a kind of desire and his reliance on the exemplar case of *akrasia* suffer from serious weaknesses. First, Mele concedes that the essential difference between desires and intentions, intentions’ executive capacity, cannot be attributed to all intentions because “there are intentions that do not trigger, sustain, guide, nor monitor action.” Second, Mele concedes that some intentions neither result from nor prompt practical reasoning.⁴⁵⁵ These concessions are very damaging to Mele’s argument. The essential feature of intentions, their executive capacity, is apparently not essential after all. Furthermore, they are not necessarily marked off from desires, on Mele’s view, by their being necessarily more deliberate or rational, since we can have impulsive intentions, generated by preponderant motivations or desires.⁴⁵⁶ Moreover, as George Wilson correctly observes, there are some types of “compulsive desires” which can initiate, sustain, and guide actions, those being the very desires at play in the inner turmoil of the akratic person.⁴⁵⁷

Mele does not concede Wilson’s claim about compulsive desires; however, he concedes nearly as much when he claims that an akratic person acquires an intention to

⁴⁵³ *Ibid.*, 166.

⁴⁵⁴ *Ibid.*, 188.

⁴⁵⁵ *Ibid.*, 140.

⁴⁵⁶ *Ibid.*, 184; 191.

⁴⁵⁷ George Wilson, “Review: *Springs of Action: Understanding Intentional Behavior*,” *Philosophical Review* 103.1 (Jan. 1994): 177-78.

give in to his forbidden desire from his preponderant motivation.⁴⁵⁸ In such a scenario, the real moving cause is the preponderant desire that gives rise to the intention. It is unclear what an intention adds to the preponderant desire in such a scenario, because it does not make the motivation rational or deliberate. By allowing preponderant motivations to give rise to proximal intentions without the medium of deliberation or some sort of rational reflection, Mele comes close to admitting a direct “connection between preponderant motivation and overt intentional action,” a contention which he ultimately denies to assert the irreducible independence of intentions from desires. If the link between preponderant motivation and intentional action were direct, Mele claims, then we could have an intentional action without any “pertinent intention.”⁴⁵⁹ Yet he allows this himself because, like Bratman, Harman, and others, he rejects the Simple View and allows that an agent may perform an overt intentional action without that act being caused by an intention so to act, like “nonintended” “tryings.”⁴⁶⁰

Mele’s description of intentions also relies on an account of desires as being “underdetermined” in comparison to intentions, which is similar to the views of both Harman and Bratman.⁴⁶¹ Like Harman, the conceptual clarity of intentions is supposed to be evidence for their connection to action; like Bratman, intentions are held to be intrinsically more rational than desires because of their rational determination. This distinction bears more of the weight of Mele’s argument once he concedes that not all intentions lead to actions, and it becomes clear that one cannot distinguish intentions from desires on the basis of their phenomenological proximity to action, as the case of

⁴⁵⁸ Mele, *Springs of Action*, 191.

⁴⁵⁹ *Ibid.*, 190.

⁴⁶⁰ *Ibid.*, 129-135.

⁴⁶¹ Mele, *Motivation and Agency*, 17.

akrasia illustrates. However, determinateness does not entail proximity to action, nor does proximity to action necessarily entail determinateness. These insights will open up the way to a more promising account of intentions as a kind of desire below.

II.5.4: Intention as Deliberate Desire

When we act, we do not always have a determinate intention nor do we necessarily have determinate beliefs about our actions and goals. This can be seen in a rather mundane example of satisfying thirst. Watching a football game on Sunday, I might feel thirsty after having consumed salty pretzels. I walk to the refrigerator and get a beer. I have not deliberated about this action; I don't necessarily know that I want only one beer and no more. I have not necessarily made a determinate evaluative judgment that I would like beer more than anything else available. I have not considered that the diuretic effects of alcohol may increase rather than decrease my body's dehydration caused by the salt. I simply want a beer, and I want that beer because I am thirsty. My action is, to some extent, habitual. Many actions are like this. Often, such behavior is characterized as absent-minded, but it is, in fact, quite intentional, although the intention in question is not so determinate. We might contrast this example with an almost identical example involving deliberation and a determinate intention. Having watched the same game and having eaten the same pretzels, I might go to the refrigerator and pause. I remember that the beer has twice as many calories as the diet soda on the same shelf. I might calculate that given my previous desire and intention to lose weight, I should choose the diet soda instead because it has fewer calories. Therefore, I choose the diet soda to slake my thirst. This action is the result of a more determinate intention.

The reflective pause at the time of action or at some time prior to the action is a hallmark of mature behavior. The first example given would not be significantly different from the behavior of a child getting a drink of another sort to satisfy his thirst.

It is not significantly different from the behaviors of many animals, except insofar as thumbs might be required to open the refrigerator and the can of beer. A good deal of our behavior happens below the level of reflection and deliberation described in the second example. Often, when such behaviors are harmful, therapy consists in having the sufferer confront his responsibility for his choices and habituating him to patterns of reflection prior to his acting. The mistake made by Mele and others is to take human action and human intentions *par excellence*, that is, deliberate action and deliberate intention, as defining the entire class of actions and intentions. It is no doubt the case that *fully* human action and intention are deliberate and determinate, and this can be seen in most of the behavior of mature, healthy, and virtuous individuals. It is a distinguishing characteristic of human action that it can be reflective, deliberate, and caused by determinate beliefs and propositions, but this characteristic is not a necessary condition for action or intention. Children learn to become reflective and deliberate as they mature; however, they surely perform intentional actions prior to full maturity, even if those actions are less deliberate and not based on determinate beliefs and intentions.

The view I have been sketching above is indebted to Alasdair MacIntyre and his work, *Dependent Rational Animals*. MacIntyre works to break down the wall erected by philosophers between human beings and animals in order to fully understand human nature's dependent and animal elements. The objections of many philosophers to the ascription of beliefs and intentions to animals hinges on the lack of determinateness any such mental state would have in the absence of language. While philosophers like Malcolm, Davidson and Stich have argued that animals cannot have beliefs and intentions as such, MacIntyre objects that: "What each of them achieves is to show that in

some particular respect we cannot ascribe to non-language-using animals beliefs that have the kind of determinacy that the possession and use of language makes possible.”⁴⁶² Therefore, while we may have difficulty specifying precisely what beliefs and intentions to attribute to animals, what sorts of modal operators or quantifiers we might use in our expressions, it is still clear that we can attribute beliefs and intentions to animals. MacIntyre uses the example of a kitten learning to distinguish shrews, which are foul-tasting, from mice. While it seems unlikely that the cat has a concept of ‘shrew’ contrasted with that of ‘mouse’, still the cat is capable of learning to distinguish the two and to avoid eating shrews. Likewise, a dog may cease waiting at the base of a tree for a squirrel if he sees the squirrel running on the ground in a nearby yard. It seems clear that he formerly was waiting for the squirrel in the belief that the squirrel was in the tree, and now that he believes the squirrel is not in the tree, he has decided to chase it. The cat and the dog both operate with indeterminate, pre- or non-linguistic beliefs which they can alter and to which they can act in response.⁴⁶³ The importance of this observation is that it can be extended to human beings as well, and not just to infants. Humans have indeterminate beliefs and preferences as well as intentions. These are the building blocks from which reflective and linguistically mediated practical behavior arises.⁴⁶⁴

The reflective distance that language facilitates between immediate and other kinds of desires is the source for the apparent divorce of intention and desire in authors like Harman and Bratman. As part of the maturation process, a child becomes capable of refraining from its immediate desires. However, MacIntyre correctly cautions that we should not be misled into thinking that intention is not a form of desire: “It is not of

⁴⁶² Alasdair MacIntyre, *Dependent Rational Animals* (Chicago: Open Court, 1999), 37.

⁴⁶³ *Ibid.*, 32-33; 37-38.

⁴⁶⁴ *Ibid.*, 38-40.

course that the child becomes able to act without desire. The notion of acting without desire is itself a phantasy [sic] and a dangerous one.”⁴⁶⁵ The dissociation of intention from desire parallels the reification of the concept ‘good’; intention becomes a desire for the good as if the good were somehow substantially separable from the particular objects we choose. As MacIntyre argues, we must “[n]otice however that in justifying our actions and our having acted from this or that desire for this or that object we make no reference to the desire for good *qua* desire.”⁴⁶⁶ There is no separate desire for the good apart from the desires we have for particular goods. In abstract discussions of intention and ethics, “It is therefore of some importance that in our philosophical analyses we should not in general assimilate evaluations and expressions of desire.”⁴⁶⁷

The distinction between desire and intention is the distinction between a kind and one of its species. Desires are intentional and intentions are appetitive; ‘mere’ desire and deliberate intention mark two ends of a spectrum of intentional states. Even within the spectrum, some desires are not necessarily directed toward immediate action. Some are prospective, whether they are long-term plans, wishes, or fantasies. When we talk about ‘intention’ in English, we must make a distinction between deliberate and non-deliberate intentions. In the debate about the Simple View, this distinction is present but improperly drawn. The difference between the two types of intention is often treated merely as one of time rather than one of conceptualization. Deliberate intentions result from prior deliberation, and this process is usually linguistically mediated. A deliberating agent must utilize some sorts of premises about his ends, the actions available to him, his circumstances as well as what he foresees as consequences. These kinds of

⁴⁶⁵ *Ibid.*, 70.

⁴⁶⁶ *Ibid.*

⁴⁶⁷ *Ibid.*

considerations necessarily involve some sort of predication, and the intentions which result usually have some definite extension. They also involve forward looking plans which involve detailed awareness and use of causal mechanisms and knowledge. This is not usually the case with non-deliberate intentions. A child, for instance, merely wants his snack now, and he does not have an idea of how much of it he wants or how long he intends to eat or how this might affect his nap later. He wants *this now*. Likewise, adults may be prone to non-deliberate behavior which has a significant impact on their lives. Compulsive overeaters often do not deliberate about what they are eating and when they eat it – this kind of pause and reflection is often part of their counseling. In general, every person often has some element of their daily behavior which is potentially rather than actually deliberate.

To the extent that one matures, one's behavior becomes more deliberate, and this is the essence of Aristotelian habituation and virtue. Deliberate intentions roughly correspond to *boulēsis* and *prohairesis* in Aristotle's ethical psychology, more often *prohairesis* than *boulēsis*. Aristotle describes *prohairesis* precisely as a *bouleutikē orexis*, or a 'deliberate desire'. *Boulēsis* may also be considered for our purposes to be a deliberate desire because: as we have seen, Aristotle says in the *De Anima* that it is the part of desire located in the rational part of the soul, which is opposed to *epithumia* and *thumos*, one a physical desire often associated with sex and food, the other, anger. Deliberate intentions are one end of a continuum both within our species and across sentient species. Not every human action is as deliberate and conceptualized, and different animal species are capable of different degrees of intending. Aristotle, as we have seen, characterizes all animals as possessing *orexis*, and this faculty, as we have

argued, is essentially intentional. Aristotle's division of *orexis* into rational and non-rational types nicely corresponds to the division between deliberate and non-deliberate desires. This also corresponds to some of the uses of 'desire' and 'intention' in English, as we often express the fact that impulsive actions are without deliberation by saying that they were the result of a strong desire rather than an intention.

The Aristotelian solution to the challenge to the Simple View is to affirm the Simple View in its bare formulation but also to insist that the terms 'intention' and 'intentional' are ambiguous and they require specification in terms of the classification of deliberate and non-deliberate desires as well as whether the intention in question refers to the end or the means. The conundrum surrounding the Simple View stems from the fact that not every intentional action is the result of a deliberate and conceptualized intention. The wide range of human action suggests that what is primarily marked out by the term 'intentional' is the purposiveness, the goal-directedness, of an action; likewise, this suggests that the term 'intention' corresponds in its basic meaning to the notion of an agent's end or goal. Agents do not always act deliberately or with an intention which is precisely conceptualized. They may not have a greater notion of what they want than '*this*', whatever this object is at that moment. However, agents can also act with much more conceptualized and deliberate intentions, such as 'I would like a small glass of water in about five minutes to help with my kidney stones'; the deliberateness and conceptualization are not necessary conditions of intentionality but rather are qualifications of a basic intentional capacity. Thus, every intentional action is the result of some intention, construed broadly to include non-deliberate intentions often classed as

desires. Likewise, the choice of means is intentional and intended *as* means to a further end and not in themselves.

The fact that a deliberate intention can be composite, as Aristotle holds that both *boulēsis* and *prohairesis* are, in the sense of combining reason in deliberation with desire, is not an argument in favor of it being psychologically reducible to its component parts. Conceptual divisibility does not entail psychological reducibility; that is to say, intentions are real forces in human actions which are not simply pairs of desires and beliefs but complex wholes of desires, knowledge, and beliefs formed from deliberation. Agent and act assessments take into account the degree of deliberation and conceptualization in an agent's intentions, as well as what is conceptualized and how.⁴⁶⁸ From these distinctions in degree and kind, we can distinguish between unintended consequences and intended consequences, and, within intended consequences, between consequences intended as ends or means and consequences intended as being constitutive of a given means in a certain circumstance, though not desired *per se*. Finally, we can say that the Simple View is substantially correct and is a firm basis for understanding ascriptions of moral responsibility. Every intentional action is based on some intention, which intention is more or less deliberate and conceptualized.

⁴⁶⁸ We borrow the term "conceptualized" from Thomas Tuozzo, "Conceptualized and Unconceptualized Desire in Aristotle," *Journal of the History of Philosophy* 32.4 (Oct. 1994), cited in MacIntyre, *ibid.*, 70.

II.6: Conclusion to the Second Part and the Dissertation

As we have shown, the major objections to the Simple View are defeasible once one understands intention as a species of desire, i.e. a deliberate desire, whose scope includes consequences beyond acts performed and goals achieved. The paradoxes at the heart of the debate hinge on the ambiguity of the English word ‘intention’ and its usage, as well as the inherent difficulty of examining psychological concepts. ‘Intention’ has several senses unified by the purposiveness of the mental states to which the word is referred. Senses can often, but not always, be distinguished in English usage by the degree and kind of deliberation attendant to them; however, English usage is not always reliable. Intending and intention admit of degrees of rationality, conceptualization, deliberateness, as well as foresight and cognizance. Not everything foreseen is intended, but many things that are foreseen are also intended as part of the means to the realization of an end. These can include consequences beyond the end and the act performed. An agent’s goal, circumstances, chosen means, and cognizance are all required to make an accurate thick description of his intention and to evaluate that intention morally.

Works Cited

- Adams, Frederick and Anne Steadman. "Intentional Action in Ordinary Language: Core Concept or Pragmatic Understanding?" *Analysis* 64.2 (April 2004): 173-181.
- Adams, Frederick. "Intention and Intentional Action: The Simple View." *Mind and Language* 1 (1986): 281-301.
- Allan, D.J. "Aristotle's Account of the Origin of Moral Principles." *Actes du XIe Congrès Internationale de Philosophie* 12 (1953): 120-27.
- Allonso, Vicentius. *El principio del doble efecto en los comentadores de Santo Tomas de Aquino*. Diss. Gregorian University, 1937.
- Anscombe, G.E.M. *Intention*. 2d. ed. Cambridge, Mass.: Harvard University Press, 2000.
- _____. "Medalist's Address: Action, Intention and 'Double Effect'." *Proceedings of the American Catholic Philosophical Association* 56 (1982): 12-25.
- _____. "Modern Moral Philosophy." *Journal of the Royal Institute of Philosophy* 33 (Jan. 1958): 1-19.
- _____. "Thought and Action in Aristotle." *New Essays on Plato and Aristotle*. Ed. Renford Bambrough. London: Routledge & Kegan Paul, 1965.
- "Appetite." *Oxford English Dictionary*. Online: www.oed.com. [Accessed through the Boston College Library Portal.]
- Aquinas, St. Thomas. *Commentary on Aristotle's De Anima*. Trans. Robert Pasnau. New Haven: Yale University Press, 1999.
- _____. *Commentary on Aristotle's Nicomachean Ethics*. Trans. C.J. Litzinger, O.P. Notre Dame, Ind.: Dumb Ox Books, 1993.
- _____. *De Malo*. Trans. J.A. Oesterle and J.T. Oesterle. Notre Dame: University of Notre Dame Press, 1995.
- _____. *Quaestiones Disputatae De Virtutibus*. Library of Latin Texts. Series A. Online: Brepolis Online Database. [Accessed through the Boston College Library Portal.]
- _____. *Summa Contra Gentiles*. Library of Latin Texts. Series A. Online: Brepolis Online Database. [Accessed through the Boston College Library Portal.]
- _____. *Summa Contra Gentiles*. Trans. Vernon J. Bourke. Notre Dame: University of

- Notre Dame Press, 1975.
- _____. *Summa Theologica*. Library of Latin Texts. Series A. Online: Brepolis Online Database. [Accessed through the Boston College Library Portal.]
- _____. *The Summa Theologica of St. Thomas Aquinas*. Trans. Fathers of the English Dominican Province. 2nd. Rev. Ed. 1920. Online: www.newadvent.org/summa. Online Copyright Kevin Knight.
- Aristotle. *De Anima*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 8. Trans. W.S. Hett. Cambridge, Mass.: Harvard University Press, 2000.
- _____. *De Motu Animalium*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 12. Trans. E.S. Forster. Cambridge, Mass.: Harvard University Press, 1998.
- _____. *Eudemian Ethics*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 20. Trans. H. Rackham. Cambridge, Mass.: Harvard University Press, 1981.
- _____. *Metaphysics*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 17. Trans. H. Tredennick. London: William Heinemann, Ltd., 1933.
- _____. *Aristotle's Metaphysics*. Trans. H. G. Apostle. Grinnell, Iowa: Peripatetic Press, 1979.
- _____. *Nicomachean Ethics*. Trans. T. H. Irwin. 2d. ed. Indianapolis: Hackett, 1999.
- _____. *Nicomachean Ethics*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 19. Trans. H. Rackham. Cambridge, Mass.: Harvard University Press, 1934.
- _____. *Oeconomica*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 18. Trans. C.G. Armstrong. Cambridge, Mass.: Harvard University Press, 1935.
- _____. *Physics*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 4. Trans. P.H. Wicksteed and F.M. Cornford. Cambridge, Mass.: Harvard University Press, 1929.
- _____. *Aristotle's Physics*. Trans. H.G. Apostle. Grinnell, Iowa: Peripatetic Press, 1980.
- _____. *Poetics*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 23. Trans. W.H. Fyfe. Cambridge, Mass.: Harvard University Press, 1932.

- _____. *Politics*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 21. Trans. H. Rackham. Cambridge, Mass.: Harvard University Press, 1944.
- _____. *Posterior Analytics*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 2. Trans. H. Tredennick. Cambridge, Mass.: Harvard University Press, 1960.
- _____. *Rhetoric*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 22. J.H. Freese. Cambridge, Mass.: Harvard University Press, 1926.
- _____. *Topica*. The Loeb Classical Library: Aristotle in Twenty-Three Volumes. Vol. 2. Trans. E.S. Forster. Cambridge, Mass.: Harvard University Press, 1960.
- Bourke, Vernon J. *St. Thomas and the Greek Moralists*. Milwaukee: Marquette University Press, 1948.
- _____. *Will in Western Thought: A historico-critical survey*. New York: Sheed and Ward, 1964.
- Boyle, Joseph. "Praeter Intentionem in Aquinas." *The Thomist* 42 (1978): 649-665.
- Bratman, Michael. *Intention, Plans, and Practical Reasoning*. Cambridge, Mass.: Harvard University Press, 1987.
- _____. "Two Faces of Intention." *Philosophical Review* 93 (July 1984): 375-406.
- Brinkmann, Klaus. "Commentary on Ferrarin." *Proceedings of the Boston Area Colloquium in Ancient Philosophy*. Vol. 21. Ed. John Cleary and Gary M. Gurtler. Leiden: Brill Academic Publishers, 2005. 113-121.
- Broadie, Alexander. "Aristotle on Rational Action." *Phronesis* 19 (1974): 70-80.
- Broadie, Sarah. *Ethics with Aristotle*. New York: Oxford University Press, 1991.
- Burnet, J. *Ethics of Aristotle*. London: Methuen, 1900.
- Caston, Victor. "Why Aristotle Needs Imagination." *Phronesis* 18 (1996): 156-75.
- Charles, David. *Aristotle's Philosophy of Action*. Ithaca: Cornell University Press, 1984.
- Dahl, Norman O. *Practical Reason, Aristotle, and Weakness of Will*. Minneapolis: University of Minnesota Press, 1984.
- Davidson, Donald. "Agency." *Essays on Action and Events*. Oxford: Clarendon, 2001. 43-62.

- Devereux, Daniel T. "Particular and Universal in Aristotle's Conception of Practical Knowledge." *Review of Metaphysics* 39.3 (Mar. 1986): 483-504.
- Dewey, John. *Ethics* (1932). *The Later Works of John Dewey*. Ed. Jo Ann Boydston. Vol. 7. Carbondale: Southern Illinois University Press, 1989.
- Dihle, Albrecht. *The Theory of Will in Classical Antiquity*. Berkeley: University of California Press, 1982.
- Di Nucci, Ezio. "Simply False." *Analysis* 69.1 (Jan. 2009): 69-78.
- Donagan, Alan. "Philosophical Progress and the Theory of Action." *Presidential Address of the Western American Philosophical Association* 55.1 (Sept. 1981): 25-52.
- Feinberg, Joel. "Action and Responsibility." *Philosophy in America*. Ed. M. Black. Ithaca: Cornell University Press, 1965.
- Ferrarin, Alfredo. "Aristotle on *Phantasia*." *Proceedings of the Boston Area Colloquium in Ancient Philosophy*. Vol. 21. Ed. John Cleary and Gary M. Gurtler. Leiden: Brill Academic Publishers, 2005. 89-112.
- Finnis, John. *Fundamentals of Ethics*. London: Georgetown University Press, 1983.
- Finnis, John, Joseph Boyle, and Germaine Grisez. *Nuclear Deterrence, Morality and Realism*. Oxford: Clarendon Press, 1987.
- Fischer, John Martin, Mark Ravizza, and David Copp. "Quinn on Double Effect: The Problem of 'Closeness'." *Ethics* 103 (July 1993): 707-725.
- Foot, Philippa. "The Problem of Abortion and the Doctrine of Double Effect." *Virtues and Vices and Other Essays in Moral Philosophy*. Berkeley: University of California Press, 1978.
- Ford, John C. "The Morality of Obliteration Bombing." *War and Morality*. Ed. Richard Wasserstrom. Belmont, CA: Wadsworth Publishing, 1970. 15-41. [Originally published in *Theological Studies* 5 (1944): 261-309.]
- French, Peter. "Fishing the Red Herrings Out of the Sea of Moral Responsibility." *Actions and Events: Perspectives on the Philosophy of Donald Davidson*. Ed. Ernest LePore and Brian P. MacLaughlin. Oxford: Blackwell, 1985. 73-87.
- Garcia, J.L.A. "The Doubling Undone? Double Effect in Recent Medical Ethics." *Philosophical Papers* 36.2 (July 2007): 245-270.

- _____. "The Intentional and the Intended." *Erkenntnis* 33 (Sept. 1990): 191-209.
- _____. "The New Critique of Anti-Consequentialist Moral Theory." *Philosophical Studies* 71.1 (July 1993): 1-32.
- Giebel, H.M. "Ends, Means, and Character: Recent Critiques of the Intended-Versus-Foreseen Distinction and the Principle of Double Effect." *American Catholic Philosophical Quarterly* 81.3 (Summer 2007): 447-68.
- Gury, Jean-Pierre. *Compendium theologiae moralis*. 2 vols. Regensburg: F. Pustet, 1874.
- _____. *Doctrine of the Jesuits*. Trans. Paul Bert. Boston: B.F. Bradbury & Co., 1880.
- Harman, Gilbert. *Change in View*. Cambridge, Mass.: MIT Press, 1986.
- _____. "Practical Reasoning." *Review of Metaphysics* 29 (Mar. 1976): 431-463.
- _____. *Reasoning, Meaning, and Mind*. New York: Oxford University Press, 1999.
- _____. "Self-Reflexive Thoughts." *Philosophical Issues* 16 (2006): 334-45.
- Herodotus. *The Histories*. Trans. David Greene. Chicago: University of Chicago Press, 1987.
- Hill, Christopher. "Harman on Self-Referential Thoughts." *Philosophical Issues* 16: "Philosophy of Language" (2006): 346-357.
- Irwin, Terence. Notes. *Nicomachean Ethics*. By Aristotle. 2d. ed. Indianapolis: Hackett, 1999.
- _____. Glossary. *Nicomachean Ethics*. By Aristotle. 2d. ed. Indianapolis: Hackett, 1999.
- _____. "Reason and Responsibility in Aristotle." *Essays in Aristotle's Ethics*. Ed. A.O. Rorty. Berkeley: University of California Press, 1980. 117-155.
- Kazcor, Christopher. "Double-Effect Reasoning from Jean-Pierre Gury to Peter Knauer." *Theological Studies* 59 (1998): 297-316.
- Kenny, Anthony. *The Aristotelian Ethics*. Oxford: Clarendon, 1978.
- _____. *Aristotle's Theory of the Will*. New Haven: Yale University Press, 1979.
- Kent, Bonnie. *Virtues of the Will: The transformation of ethics in the late thirteenth*

- century. Washington, D.C.: Catholic University Press, 1995.
- Knobe, Joshua. "Intentional Action and Side-Effects in Ordinary Language." *Analysis* 63.3 (July 2003): 190-94.
- _____. "Intentional Action and Moral Considerations." *Analysis* 64.2 (April 2004): 181-187.
- Lewis, Charles and Charlton Short. "*comprehensio*." *A Latin Dictionary*. Oxford: Clarendon, 1879. [Accessed through www.perseus.tufts.edu.]
- Liddell, Henry G. and Robert Scott. "*anti*." *Greek-English Lexikon*. 9th ed. Oxford: Clarendon, 1940. [Accessed through www.perseus.tufts.edu.]
- McCann, Hugh. "Intentional Action and Intending: Recent Empirical Studies." *Philosophical Psychology* 18.6 (Dec. 2005): 737-748.
- _____. "Settled Objectives and Rational Constraints." *American Philosophical Quarterly* (Jan. 1991): 25-36.
- MacIntyre, Alasdair. *Dependent Rational Anionals: Why human beings need the virtues*. Chicago: Open Court, 1999.
- McIntyre, Allison. "Doing Away with Double Effect." *Ethics* 11 (Jan. 2001): 219-255.
- Mackie, J.L. *Ethics: Inventing Right and Wrong*. New York: Penguin, 1977.
- McNaughton, David. "Consequentialism." *Routledge Encyclopedia of Philosophy*. Ed. E. Craig. London: Routledge, 1998. [Retrieved from www.rep.routledge.com/article/L013SECT1 through the Boston College Library Portal.]
- Mangan, Joseph. "An Historical Analysis of the Principle of Double Effect." *Theological Studies* 10 (1949): 41-61.
- Matthews, Gareth. "Saint Thomas and the Principle of Double Effect." *Aquinas's Moral Theory: Essays in Honor of Norman Kretzman*. Ed. Scott MacDonald and Eleonore Stump. Ithaca: Cornell University Press, 1999.
- Mele, Alfred. "Are Intentions Self-Referential?" *Philosophical Studies* 52.3 (Nov. 1987): 309-29.
- _____. "Aristotle's Wish." *Journal of the History of Philosophy* 22 (April 1984): 139-56.
- _____. "Choice and Virtue in the *Nicomachean Ethics*." *Journal of the History of*

- Philosophy* 19 (Oct. 1981): 405-423.
- _____. *Motivation and Agency*. New York: Oxford University Press, 2003.
- _____. *Springs of Action: Understanding intentional behavior*. New York: Oxford University Press, 1992.
- Meyer, Susan Sauvé. *Aristotle on Moral Responsibility*. Cambridge, Mass.: Blackwell, 1993.
- Milo, R.D. *Aristotle on Practical Knowledge and Weakness of Will*. The Hague: Mouton: 1966.
- Nadelhoffer, Thomas. "On Trying to Save the Simple View." *Mind and Language* 21.5 (Nov. 2006): 565-586.
- Nagel, Thomas. *The View from Nowhere*. New York: Oxford University Press, 1986.
- New York State Penal Law. Accessed through State University of New York at Buffalo, School of Law: <http://wings.buffalo.edu/law/bclc/web/nycriminallaw.htm>.
- Nussbaum, Martha. *Aristotle's 'De Motu Animalium'*. Princeton: Princeton University Press, 1978.
- _____. *The Fragility of Goodness: Luck and ethics in Greek tragedy and philosophy*. Cambridge: Cambridge University Press, 2001.
- "Side-Effect." *Oxford English Dictionary*. Online: www.oed.com. [Accessed through the Boston College Library Portal.]
- Pilsner, Joseph. *The Specification of Human Action in St. Thomas Aquinas*. Oxford: Oxford University Press, 2006.
- Plato. *Parmenides*. The Loeb Classical Library: Plato in Twelve Volumes. Vol. 12. Trans. H.N. Fowler. Cambridge, Mass.: Harvard University Press, 1926.
- _____. *Philebus*. Trans. Dorothea Frede. Indianapolis: Hackett, 1993.
- Quinn, Warren. "Actions, Intentions, and Consequences: The Doctrine of Double Effect." *Philosophy and Public Affairs* 18.4 (Autumn 1989): 334-351.
- Reichberg, Gregory. "Aquinas on Defensive Killing: A Case of Double Effect?" *The Thomist* 69.3 (July 2005): 341-370.
- Richardson, Henry. *Practical Reasoning and Final Ends*. Cambridge: Cambridge University Press, 1995.

- Rorty, A.O. "Structuring Rhetoric," *Essays on Aristotle's Rhetoric*, ed. M. C. Nussbaum and A. O. Rorty. Berkeley: University of California Press, 1996. 1-34.
- Ross, Alf. "Intent in English Law." *Scandinavian Studies in Law* 23 (1979): 177-209.
- Ross, W.D. *Aristotle*. 5th ed. London: Methuen, 1953.
- Ryle, Gilbert. *The Concept of Mind*. New York: Hutchinson's University Library, 1949.
- _____. "Adverbial Verbs and Verbs of Thinking." *On Thinking*. Totowa, NJ: Rowman & Littlefield, 1979.
- _____. "The Thinking of Thoughts: What is 'Le Penseur' doing?" *Collected Papers*. Vol. 2. London: Hutchinson, 1971.
- Samek, R.A. "The Concept of Act and Intention and Their Treatment in Jurisprudence." *Australasian Journal of Philosophy* 41.2 (Jan. 1963): 193-216.
- Searle, John. *Intentionality*. New York: Columbia University Press, 1983.
- The Simpsons*. "The Canine Mutiny." Episode 173. Fox. Originally aired April 13, 1997.
- Teichman, Roger. *The Philosophy of G.E.M. Anscombe*. Oxford: Oxford University Press, 2008.
- Thesaurus Lingua Graecae* CD ROM E. University of California, Irvine: 2000.
- Thompson, Judith Jarvis. "Self-Defense and Rights." *Rights, Restitution, and Risk*. Ed. W. Parent. Cambridge, Mass.: Harvard University Press, 1986. 34-48.
- Tuozzo, Thomas. "Conceptualized and Unconceptualized Desire in Aristotle." *Journal of the History of Philosophy* 32.4 (Oct. 1994): 535-49.
- Velleman, David. "The Guise of the Good." *Noûs* 26.1 (March 1992): 3-26.
- Vermazen, Bruce. "Questionable Intentions." *Philosophical Studies* 90 (1998): 265-79.
- Vitoria, Francisco de. *Reflections on Homicide and Commentary on the Summa Theologiae IIa-IIae Q. 64*. Trans. John P. Doyle. Milwaukee: Marquette University Press, 1997.
- Wians, William. "Saving Aristotle from Nussbaum's *Phainomena*." *Essays in Ancient Greek Philosophy V: Aristotle's Ontology*. Albany: 1992. 133-49.

Wiggins, David. "Deliberation and Practical Reason." *Essays in Aristotle's Ethics*. Ed. A.O. Rorty. Berkeley: University of California Press, 1980. 221-239.

Wilson, George. "Review: *Springs of Action: Understanding Intentional Behavior*." *Philosophical Review* 103.1 (Jan. 1994): 175-78.